Jurispudence Made Easy

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Translator: Najim al-Khafaji
Publisher: Imam Ali Foundation

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Jurispudence Made Easy

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English translation of al Fatawa al-Muyyessarah

By Ayatullah Ali al-Hussaini as-Seestani

Translated by Najim al-Khafaji

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al Fatawa al-Muyyessarah The book is in the form of questions and answers based on fatwa of Ayatullah Al-Seestani, on the verses of Jurisprudence, that includes the matters of worship, financial transactions and man's personal status such as matrimonial matter

License

In the Name of Allah, the Compassionate the Merciful

,Praise be to Allah, Lord of the worlds

,and peace be with the best of His creation

.Mohammad and his pure progeny

This book, Al-Fatawa Al-Muyessarah (Jurisprudence Made Easy), has been written in accordance with our fatawa (edicts). This has been found to be so by a group of trusted people. Thus, whoever, among the faithful, acts upon the edicts contained (therein shall be acquitted of their religious obligation. Inshallah (Allah willing

Sealed

Ali al-Hussaini as-Seestani

.۲۵th Thil Hijjah, ۱۴۱۶H

Religious edicts shown between these [ ] brackets are to be followed as a matter of ihtiyat wujubi (obligatory precaution). Thus, you have the choice of either acting upon them or following another Mujtahid (Jurist: a cleric who has studied sufficiently and achieved the level of competence necessary to interpret shari'a law), taking into .account the most erudite among them

Translator's Foreword

In undertaking the translation of this book, al-Fatawal Muyessarah (Jurisprudence Made Easy), I did

my best to convey the meaning to the English reader in standard English from a pattern of Arabic that is predominantly juridical. I hope I have succeeded in this task. I also hope that this translation may help, in some measure, to make this subject accessible to people, interested in Islamic jurisprudence and in religion, among those .who are unable to read and/or understand Arabic

However, I decided to use the same Arabic terminology - appearing in italic letters - that is, in the main, common to the subject matter, such as halal and haraam (licit and illicit) with their equivalent in English, as a first reference. I have done so to ensure consistency, for the majority of these terms denote specific meanings on which the mukallaf (the person obligated to observe the precepts of religion) rely in acting upon .the fatwa (religious edict). Thereafter, I have confined the use to the Arabic term

To further guide the reader through the maze of this broadly technical terminology, I listed the words and phrases, with their English definitions, in alphabetical order under the "Glossary". It is noteworthy that the glossary is solely my contribution and does not constitute a section of the book. Where I opted for the English dictum rather than the Arabic, I found it necessary, at certain instances, to put the Arabic words between brackets after the English, such as "free of impurities": mutlaq. This has been done to reinforce the translated word or phrase and remove any ambiguity; you

.may not find these in the Glossary

Where I thought the meaning of the text would be enhanced or rendered more understandable, I put the additional words, which do not constitute part of the original .text, between these ( ) brackets

The use of masculine pronouns, such as he, his, him, and himself, refers to both the .sexes, where applicable

For the translation of Qur'anic verses, I used "Holy Qur'an", translated by M.H. Shakir, published by Tahrike Tarsile Qur'an Inc. P.O. Box ١١١٥, Elmhurst, New York ١١٣٧٣, U.S.A, although I have made some modifications as I deemed fit. For the benefit of those who would wish to trace the Qur'anic quotations, I have put the numbers of the sura (chapter) first and the ayah (verse) second between these ( ) brackets at the end of .the quotation

Notwithstanding, whatever knowledge and effort put in such work, it remains far from perfect, for perfection is the exclusive preserve of Allah, the Most High. I, therefore, urge the readers to write in, should they find it necessary to raise any point .or make any remarks insofar as the translation goes

In the end, I pray to the Almighty, to forgive me any inadvertent mistake or error of judgement I may have made in the course of the translation. I pray to Him to make this work of mine a step towards attaining His approval and that He accepts it .favourably and makes it of use. Amen

.Najim al-Khafaji, B.A

Preface to the English edition

In the Name of Allah, Most Gracious, Most

Merciful

I have pleasure in making available to the English reader my Book, al-Fatawa al-Muyyessarah - Jurisprudence Made Easy, which has also been translated to few other languages. I am glad to say that the Arabic Edition has now been published few times. This is indicative of the need for books of jurisprudence, which is a quite technical subject, in a form of language that is down to earth. This being so as to make the subject matter more accessible to the readers, irrespective of their .backgrounds

I am confident that this novel approach to dealing with the subject will bear fruit, not least in contributing to the spread of religious knowledge among vast sections of the society, especially the up-and-coming generation, who has been starved of gaining any meaningful knowledge of the precepts of religion, because of the way the .education system has been geared

I would like to thank Imam Ali Foundation, London for financing the translation and publishing of the book. I should also thank Mr. Najim al-Khafaji for the efforts he put in .translating the book

Since presenting to the reader a simplified version of jurisprudence and issues of religious connotations is the first attempt of its kind, I should be very grateful for any .feedback from you

In the end, I pray to the Almighty to bestow success upon us for that which pleases .Him. For all the mercies vouchsafe us, we are truly grateful to Allah

Abdul Hadi Mohammad Taqi al-Hakim

(.Rabi'uth-Thani ۱۴۱۸ H. (August, ۱۹۹۷ C.E

Introduction to the Arabic edition

Oh my .."

Lord! Expand my breast for me, Make my affair easy to me, Loosen the knot from my .(tongue, and (that) they may understand my word". (۲۰/۲۵-۲۸

May praise be to Allah, Lord of the worlds, and may peace and benediction be with our .Prophet, Mohammad and his Pure Progeny

In writing this book, I tried to use a style that is simple and familiar. My aim has been to disentangle the complexity of the jurisdical text, making it readily accessible to .those who need to be acquainted with and act upon it among the laity

I have sought to employ a method that aims at encouraging the reader to want to know more about the injunctions of religion. In so doing, I confined myself to discussing those matters of religious dictates that are more important to the mukkalaf (Compos mentis: The person obligated to observe the precepts of religion). For further in-depth details, the reader may consult the books of Islamic .jurisprudence and manuals of religious practice

Every now and then, I have also tried to make the link in the reader's mind between the science of jurisprudence and that of ethics (akhlaq), and between his actions and .the spirit of those actions

The book has been divided into three main sections. The first deals with acts of worship (ibadaat), making prayer the main axis, for "It is the pillar of religion. If it was accepted, other deeds of the mukallaf would be accepted. If it was rejected, the other ."deeds would be rejected

After the

Dialogue on Taqleed (the following, by a lay person of a learned scholar, Mujtahid, in matters of religious practice), the structure of the discussion required me to deal with that which renders the body najis (ceremonially unclean). This has been so for the simple reason that no prayer can be performed without the person performing it being tahir (ceremonially clean). Thus, najis as well as tahir things are discussed, .leading to the discussion of prayer itself

To complete the circle of purity of the heart, the mind and personal hygiene the mukallaf should have when having audience with his Creator in prayer, I have .(discussed other acts of worship, such as fasting and hajj (pilgrimage to Mekkah

Section two of the book is dedicated to financial transactions, such as buying and .selling, agencies, hiring, companies and others

Section three deals with man's personal status, such as matrimonial matters, votive offering (nadhr), covenants, oaths, etc. Discussed in this section too are matters of al amr bil ma'rouf wan nahi anil munkar (enjoining what is good and forbidding what is .wrong) and two dialogues on general themes

:According to this plan, the book shall feature the following dialogues

Taqleed, Najis and Tahir things, Janabah (the state of being najis after a sexual act that may or may not lead to ejaculation), Haydh (menstruation), Wudhu (an act of ablution that is required before the performance of certain acts of worship), Ghusl (obligatory ceremonial bathing that is required after certain acts or occurrences), Tayamum (Dry ablution, i.e. using dust

instead of water, as in the cases of wudhu and ghusl when, for specific reasons, these acts are not possible), Jabirah (splint), Prayer, in two parts, Fasting, Hajj, Zakat (the poor rate: A legally prescribed tax), Khums (a type of religious levy, equivalent to one fifth of taxable income), Trade, Slaughtering and Hunting, Marriage, Divorce, Votive Offering, Oath, and Covenant, Making a Will, Inheritance, Waqf (religious endowment), Enjoining what is good and forbidding what is evil, and the two all-round dialogues, covering matters ranging from women issues, reproduction, medical, .ethical, science and technology, entertainment to donating human organs

This edition of the book has been the subject of checking and scrutiny by the Office of Grand Ayatullah as-Sayyid as-Seestani in Holy Najaf to ensure that the contents conform to his edicts. Where necessary modifications have been made to ensure .compliance

I hope that I have succeeded in what I set out to do. I thank all those who lent me .their support in the process of writing this book

,Finally, I pray to Allah, the Most High, to make me amongst those

,(given his book in his right hand, these shall read their book.." (۱۷/۷۱.."

,make my work pure in His way on

The day on which property will not avail, nor sons, except him who comes to Allah" .(with a heart free (of evil)". (۲۶/۸۸, ۸۹

.(Oh Lord! do not punish us if we forget or make a mistake..". (۲/۲۸۶.."

Oh Lord! Thy forgiveness (do we crave), and to Thee is the.."

.(eventual course". (۲/۲۸۵

.May praise be to Allah, Lord of the worlds

The Author

Glossary

Ada': On time: when prayer, or any other act of worship is performed on its appointed .('time. (See qadha

.Adhan: The call for prayer

Al'amr bil ma'rouf wan nahi anil munkar: Enjoining what is good and forbdding what is .evil

.Aqiqah: A sacrificial offering on the seventh day of the newly born child

.a.s.): An acronym for "Alaihis salaam": May peace be with him)

.Asr: Afternoon prayer

.Aya: (Lit. a sign): verse, or unit, of the Holy Qur'an

Ayas of Sajdah: The four Qur'anic Verses in the Chapters: Iqra', an-Najm, as-Sajdah, .and Fussilat; it is obligatory to prostrate oneself on hearing them recited

Ba'adaz zawaal: After the disc of the sun descends towards the West from its emith ((noon). (See zawaal

Basmalah: An acronym for "Bismillahir Rahman ar Rahim": In the Name of Allah, the .Compassionate, the Merciful

Batil: Null, void, invalid or unlawful, e.g.A contract becomes batil when it does not .satisfy the divine practical laws of Islam

.Dhuhr: Noon, or lunchtime, prayer

.Dhikr: Remembrance: The utterances during the third ruku’ and fourth of a prayer

Eid: Festivities marking the end of the fasting season, or festivities of the sacrifice .after hajj

.Farsakh: A unit of distance, equivalent to approx. ۵.۵ kilometer

.Fatwa: Religious edict, or legal opinion

Fidya: Redemption (from certain religious obligations by a material donation or ritual .(act

.Fiqh: Jurisprudence

.Ghusl: Obligatory bathing that is required after certain acts or occurrences

(.Hadith: Prophetic tradition: sayings and actions of Prophet Mohammad (s.a.w

.Hady: Sacrificial offering, as part of hajj rituals

Hajj: The pilgrimage to Mekkah

:undertaken according to the prescribed ritual during the month of Thil Hijja

Hajjatul Islam: A Muslim's maiden pilgrimage to Mekkah, that is obligatory when you .can afford the journey

.Halal: Lawful for use, consumption, or to act upon

.Haraam/Muharram: Unlawful or forbidden for use, consumption, or to act upon

Harakaat: Diacritical marks, such as shaddah, maddah, tanween, hamzatul wasl or qat', appearing above the Arabic characters or below them that denote and aid the proper pronunciation of the words, both independently and in relation to other words .in the sentence

.Haydh: Menstruation

Heddet-tarakhus: The point at the periphery of a town where, for example, adhan could be heard. This concerns distances to determine whether prayer should be said .tamam or qasr

.Ibadaat: Acts of worship

.Ijarah: Hire, rent, lease etc

Ihram: The special two-piece seamless attire worn by pilgrims. Also, the state of consecration during which the pilgrim should refrain from certain acts, such as not .combing, not shaving, and observing sexual continence

.Ihtiyat: Precaution: a level of legal judgement

.Ihtiyat wujubi: Obligatory precaution that must be followed

Ijtihad: (lit. exertion) - the process of arriving at judgements on points of religious law .(using reason and the principles of jurisprudence (usul al-fiqh

.Inshallah: God willing

.Iqamah: A shortened form of adhan, heralding the inauguration of prayer

.Isha: Evening prayer

.Istihadhah: Undue menses

.Istihalah: Transformation

Istikharah: The process of asking Allah for proper guidance in certain matters you are .unable to decide on, through, for example, consulting the verses of the Holy Qur'an

Jabirah: (lit. splint): a generic name used for any form of dressing any part of the body

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.as a result of injury or illness

(Jamarat: Places of the three stone pillars representing the devil, at Mina. (See rami

Janabah: The state of being ceremonially unclean, especially after a sexual act that may or may not lead to ejaculation.

Kaffarah: Atonement, or expiation: making repayment for some failure to act, harm done to others, etc.

.Khums: A type of religious levy, equivalent to one fifth of taxable income

.Kurr: A unit of volume, equivalent to ۳۸۴ litres

.Madhalim: Material or moral restitution or compensation to people you have wronged

.Maghrib: Sunset prayer

.Maghsoub: Usurped

Mahaarim: One's immediate relatives – according to a certain classification detailed in Shari'a law.

.Makrouh: Abominable act

.Manasikul Hajj: Pilgrimage rituals

Marji': (lit. reference point for emulation, or religious authority) – A jurist who, by virtue of whose knowledge and probity, is qualified to be followed in all points of religious practice and law by the generality of Shia Muslims.

.Meeta: Animal carcass

Mujtahid: A jurist who has studied sufficiently and achieved the level of competence necessary to interpret shari'a law (see Ijtihad).

.Mu'amalaat: Transactions

.Mubah: Permissible

.(Mukallaf: Comopos mentis (The person obligated to observe the precepts of religion

.Musafir: Traveller

.(Mustahab: A voluntary, and meritorious, act of worship. (See wajib - obligatory

.Najasah: A legal term for an impurity of any kind

Najis: Impure: some things are inherently najis, others can become najis through .contact with an inherently najis substances

.Nifas: Bleeding that occurs after childbirth, miscarriage, or abortion

Niyyah: Intention to designate the prayer, or any other act of worship, one is performing, in that its sole purpose is to seek proximity to, and pleasure

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.of Allah

Niyyah of qurbal mutlaqah: The intention for prayer, or any other act of worship, made with a view to seeking nearness to Allah, i.e. without designating whether it is .'ada' or qadha

Qadha': When prayer, or any other act of worship, is performed at a later time. (See .('ada

Qasr: A shortened form of prayer: A concession for a musafir (traveller) to perform a (two-raka'a prayer instead of the full four-raka'a one. (See tamam

.Qiblah: The direction, of the Ka'ba, one must face while praying

.Qiyam: Standing upright during prayer

.Qunoot: The raising of both hands for supplication in prayer

.Raka'a, ruku': The bowing position in prayer

Rami: Symbolically stoning of the devil, using seven pebbles or small stones at Jamarat on Eid day, the ١١th and the ١٢th of Thil Hijjah; part of hajj rituals. (See .(Jamarat

s.a.w.) An acronym for "Sallal lahu alaihi wa alihi wasallam": May peace be with him,) .i.e. the Prophet, and his pure progeny

.Sadaqa: Almsgiving

Sajdatay-as-Sahu: The two compensatory prostrations in lieu of any commissions or .omissions in prayer due to forgetfulness

.Salah/t: Prayer

.Salatul ayaat: Prayer for signs, or natural phenomena

.Salatul ihtiyat: Precautionary prayer

.Salatul lail: Optional night prayer

.Sawm: Fasting

Sa'y: Seven laps of brisk walking between the mounds of Safa and Marwah – an .obligatory part of hajj rituals

.Shari'a: Percepts of the divine law

.Shari'i: Islamic or legal

.Subh: Dawn prayer

.Sujood: Prostration

.(Sunnah: Model practices, customs, and traditions of The Prophet (s.a.w

.Surah: A chapter, or part, of the Holy Qur'an

.Taharah: Ritual purification

.Tahir: The state of ritual purity, the opposite of najis

Takbiratul Ihram: The utterance, at the start

.of prayer, of “Allahu Akbar”: God is Great

Talbiyah: The utterance of: Labbayka Allahuma Labayk, Labbayka La Sharika Laka Labbayk, Innal Hamda Wani’mata Laka Wal Mulk, La Sharika Laka Labbayk. (Here I am! at Your service, O Lord! Here I am! at Your service, You have no partner. Here I am! at Your service. All the praise is Yours, so is the bounty, and to You belongs the .(dominion; there is no partner to You. Here I am! at Your service

.(Tamam: A full four-raka’a prayer. (See qasr

Taqiyyah: Dissimulation about one’s beliefs in order to protect oneself, family, or .property from harm

Taqleed: The following, by a lay person, of a learned jurist (Mujtahid) in matters of .religious practice

Taqseer: Cutting one’s hair, clipping one’s moustache or beard, or cutting off the nails - hajj rituals that heralds the exit from the state of ihram

.Tawaf: Circumambulation - walking seven times around the Ka’ba

Tawafun Nisa’: (lit., women’s circumambulation) - an integral part of hajj devotion, .after which and its prayer, sexual relations between man and wife return to normal

Tayamum: (lit. intending or proposing to do a thing). Dry ablution, i.e. using dust instead of water, as in the cases of wudhu and ghusl when, for specific reasons, these .(acts are not possible

.Thawab: Reward from Allah in return for good deeds

.Ulema: Scholars or doctors of religion

.Umma: Islamic community

Umrah: Lesser hajj, or visitation that can be performed at any time, except on the .days of hajj in the month of Thil Hijjah

Umrah Tamattu’: A visitation ritual that

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.is obligatory before performing hajj

.Urf: Generally accepted practice, custom, or usage

.(Wajib: An obligatory act of worship. (See mustahab – a voluntary act

.Wajibun aini: Individual duty: The obligation that falls on every adult Muslim

Wajibun kifa'i: A collective obligation imposed on the Muslim community. Yet, if any member of the community discharges it, the remaining members would be ubsolved .of the responsibility

.Waqf: Religious endowment, or charity

.Wudhu: An act of ablution that is required before the performance of certain actions

.Wuquf: Devotional stay at Arafat, Mash'ar and Mina as part of hajj rituals

.Zakat: The poor rate: purification of wealth by payment of annual welfare due

.Zawaal: The zenith of the sun, just before it declines towards the West

Preamble

In the Name of Allah, the Compassionate, the Merciful

Today, I have completed my fifteenth birthday. When I awoke, I had no idea what was in store for me. A day of surprises, conceit, and apprehension that was, nevertheless, tampered with joy, love, and enjoyment of discovery. A day that .heralded the closing of one chapter of my life and the beginning of another

As usual, I woke up early. No sooner had I finished my morning routine between my waking up and sitting to have my breakfast, I saw a different expression on my father's face. Something made me guess that a matter of a kind that concerns me he .needed to address

His eyes were wide open as if they were gazing in a vacuum. His tight lips indicated

that he was about to say something of

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great importance. His fingers were tapping rhythmically on the dining table. It seemed .that his heart was filled with great tidings so much so that it could overflow

As I sat on the opposite side of the table, he took the initiative, with a glow of joy filling :his eyes, and said

Oh my son! Today, you have rolled up a phase of your life and are on the threshold of a new one. In the eye of Islamic law, you have become a fully-fledged man capable of being obligated to observe the dictates of religion. On this day, Allah, the Exalted, has bestowed upon you the favour of showing to you that which you should obey and that .which you should shun

Until yesterday you were, in the eye of Islamic law, a child. Thus, you were left alone. As of today, everything has changed. You are a man like other men. You are capable .of behaving responsibly. That is why Allah has addressed you

Sorry, I do not seem to understand what exactly you mean. How can Allah grace me * ?with His bounty by ordering me? Is command a type of grace? How can this be

Let me give you an example. You are now a student. Among your class mates, there - are those who are bright, diligent, committed, hard working, the conscientious and others. The head teacher sends for you to come to his office. The moment you walk in, with a smile, he breaks the good tidings to you

that you have been chosen for a certain task. This is so because what you have .achieved sets you in a different league from your peers

Do you not feel a sense of achievement and self-confidence for the special treatment accorded to you by your head teacher? Would this not fill you with zeal to carry out the task? This may be the case with a head teacher. How would you react if it was someone occupying a higher position within the hierarchy of the borough, the chief ?inspector, or the minister for education, and so on

As my father was giving me examples of people in higher positions of responsibility, what he was aiming at started to sink in. The moment he mentioned Allah's address to me and His obligating me to observe His commands and avoid acts that He forbade, .the fact dawned on me

* !God addresses me! And commands me in person

- Yes, my son. Allah is addressing you. You, the fifteen years old lad. He charges you .with the obligations and forbids you from embarking on certain acts

* Do I deserve all this honour from the Creator of the heavens and the earth. What a !sweet day! What a magnificent year! What a splendid manhood

- Oh my son! You have to obey what your Creator has commanded you to do. It is an .honour to do so

* ...I shall eagerly do my best to carry out His obligations and commands, but

- ?But, what

* But what are these obligations

?that He charged me with? And what are His commands that He addressed me with

Religious dictates are of five kinds. Wajibat (duties), muharramat (forbidden acts), - mustahabbat (voluntary acts of worship), makrouhat (abominable acts), and mubahat .((permissible acts

?What are these wajibat, muharramat, mustahabat, makrouhat, and mubahat *

Everything that you are obliged to carry out is of the wajibat, such as salah (prayer), - .sawm (fasting), hajj , zakat, khums, enjoining good and forbidding evil, etc

Whatever things or acts you are discouraged from doing are of the muharramat, such .as drinking alcohol, adultery, theft, spending unwisely, lying, etc

Any meritorious act that you are encouraged to do to seek closeness to Allah, though not by way of obligation, is of the mustahabat, such as almsgiving, cleanliness, good manners, helping needy people - not necessarily materially, attending congregational .prayer, wearing perfume, etc

Any act that is good to avoid and shun, though not by way of obligation, with the intention of seeking proximity to Allah is of the makrouhat, such as delaying the time of getting married - for both man and woman, asking for exorbitant dowries, and .declining to lend money to a needy person, even though you can afford it, etc

As for the acts you have free choice in doing or leaving are of mubahat, such as .eating, drinking, sleep, travel, and tourism, etc

How can I differentiate between wajib and mustahab, and muharram and * makrouh? How would I know what is wajib so that I can do it and what is

?haraam (forbidden act) so that I refrain from doing it? How would I know

With a smile, my father intervened. He then cast a glance of mercy and compassion .over me. He was about to say something, but pondered for a short while

During that time utter silence prevailed. I could not fathom what was going through the mind of my father. I could, however, witness a sort of cloud over his forehead that was descending to cover the rest of his face, reaching out to his lips that opened up .with a somewhat feeble voice full of graciousness and affection

- You should be able to delineate what is wajib and haraam, what is mustahab and makrouh when you read the books of Islamic jurisprudence (fiqh). You shall find out that some have core acts, parts, and conditions, some have to be performed with .certain movements, some have certain norms you should not depart from, and so on

You will find what you are looking for in those books. You shall find out that this discipline is a vast one. Hundreds of books and volumes have been written. The ulema (scholars or doctors of religion) did not leave any matter undiscussed or unscrutinized .in such depth that you rarely find in other human disciplines

* ?But, do I have to know all about such books to know what I should or should not do

- Oh! No, it suffices to read the most concise and manageable. You shall find out that they are classified into

.(two main topics: Ibadaat (acts of worship) and mu’aamalat (transactions

?What are ibadaat and mu’aamalat *

Consult the books of Islamic jurisprudence. You will gradually come to know what - .you are after

Full of zeal and interest, I hurried to the library in the hope that I could come across the books of Islamic jurisprudence. As soon as I saw them, a kind of joy overwhelmed .me

So, those were the books. I, finally, found what I was after. I will read them and am * confident that I shall find the answers to my questions in them and have peace of .mind

I could not wait to get home. With a sense of achievement, I hurriedly opened the book and started reading it. A feeling of bewilderment crept into my mind. This was translated into facial expression of astonishment, turning into excruciating pain. I found myself reading a lot but understanding nothing of substance. How could I ?handle this unfamiliar perplexity

A kind of pride crept into me. I said to myself, “I am going to try again”. Maybe I will understand something. I could imagine that the time was hardly passing. A sort of sluggishness prevailed. My chest was sinking down under some sort of burden, making it unbearable. Yet, I persisted. I read and reread but to no avail. Clouds of .disappointment turned into melancholy

It is time for confession. I read a lot, but did not understand anything worth mentioning. I came across a kind of terminology that was not familiar to

me. I could still see floating before my eyes phrases and sentences that seem confined to a certain discipline that I was not aware of. Also, I came across sentences couched in terms I did not know; sentences that discuss matters alien to my everyday life, I do not know why they were mentioned at all. Other linguistic structures appeared so fragmented, deep, and complex that I was left perplexed as to their true .meaning

I wondered if I would ever be able to know what Allah had decreed halal (permissible), so that I could act upon it or what He had decreed haraam, so that I could refrain !from doing it

Thereupon, I lift my head toward the heavens with a twinkle in my eyes, and .murmured: O Lord! I know you charged me with a duty. But, I do not know the detail

O Lord! How am going to know the bounds of what You have ordered me to do, so that I can do it? O Lord! Help me to understand what I read. O Lord! Make the books of jurisprudence spell out what they wanted to state so that I can act upon what they .are trying to tell me

I waited for my father at the dining table in the evening. At the beginning, I looked haggard with tired and rather bewildered eyes. However, this was later turned into silvery shine that combined agony with the determination of forging ahead. No sooner had we sat down , my heart

began beating quickly, my cheeks turned pink, and the heat started exuding from the tips of my ears. I succumbed to a feeling of embarrassment, shyness, perplexity, confusion and hesitation. I started saying to myself words that denote inability to .understand written material

However, I plucked my courage determined to admit my weakness and said to my :father

* I read some of the books of jurisprudence, but found them unyielding. I had seldom finished the sentence, my father's eyes went into deep search, as if he was trying to retrieve something from the past. This journey did not last long. His eyes soon turned :towards me and in a whisper, he said

- I went through a similar experience when I was your age. I read the books of jurisprudence but did not understand anything of importance. However, I did not have .the courage you have to admit my incapacity to comprehending the subject matter

My conservative upbringing and shyness stood between me and asking my father critical questions concerning the transitional period from boyhood to adulthood. I did not realize that puberty could be identified not necessarily by age alone, until… and :there I intervened

* ?And can puberty be known through other phenomena

- .Yes, my son. Puberty in males could be confirmed if one of three signs was present

.First: Completion of fifteen lunar calendar years of age

Second: Ejaculation through sexual intercourse, or seminal discharge while awake or .asleep

.Third: The presence of pubic hair, of the rough type, similar to head hair

* Pubic

?hair

– The spot where pubic hair can be found is the one below the belly and immediately .above the penis

❊ ?These are the signs of male puberty. What about the signs of female puberty

– .Puberty in females could come about when they complete nine lunar calendar years

❊ Since I was blunt about my shortcomings in finding it rather difficult to comprehend the subject matter of jurisprudence books, dare I suggest we hold sessions so that you can explain to me all that which I should be aware of. In so doing, I can implement religious injunctions in the manner they were decreed by Allah, the Exalted. If I may ?add. Can this take the form of dialogue

– .As you like

❊ ?However, with what shall we start our first dialogue

– We will start it with taqleed, for it is the foundation that will determine the contours .and milestones of what we try to apply of our jurisprudence

❊ .It's a deal

Dialogue on Taqleed

:Inaugurating the Dialogue on Taqleed, my father said

– .Let me first explain to you what is taqleed

Taqleed is the following, by a lay person, of a Jurist in matters of religious practice. Thus, you apply the Jurist's legal opinion (fatwa). It is as if you have put the responsibility squarely on the Jurist's shoulders, in that he will stand accountable .before Allah insofar as your compliance with his fatwa is concerned

❊ ?Why do we do taqleed

- By now, you know that The Creator is the source of The Law.

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He prescribed for you certain acts you should do and others you should not do. However, where to draw the line is not so clear-cut. That said, you may be able to know some of His commands and prohibitions, depending on your upbringing and .environment at large

As you may know, Islamic shari'a law has covered all aspects of your life. Thus, it has stipulated for each aspect a number of rulings. How are you going to know the demarcations of these rulings while you go about your life? How would you know ?what is halal to act upon it and what is haraam to shun it

I wonder, do you have to resort for every incidence, be it minor or major, to the legal ?proof to be able to deduce a legal judgement

?Why not ❊

There is a yawning gap between your time and that of the early days of Islam. - Matters have further been complicated due to the fact that many legal texts were lost; the language and writing style, and norms of expression have changed; the role of pseudo transmitters, who concocted many hadiths (Prophetic traditions) was damaging; this in turn has led to the problem of who is and who is not genuine among the transmitters of hadith. All these have made the process of reaching at a legal .opinion the more difficult

However, let us assume that you were able to ascertain the veracity of the transmitters of any legal text and that you were able

to understand the meaning of the terminology used. Do you think that you would be able to discern the multifaceted and complex science of jurisprudence? And would ?you be able to arrive at what you need to understand

?So, what should I do ⁕

You should turn to the experts in this field, i.e. the jurists, and derive what you need – to know of legal judgements from them. That is, you emulate them. This is not the exclusive reserve of jurisprudence, rather the norm in every science and discipline. Modern civilization has it that you find the principle of specialized professions in every .discipline that you turn to when in need

Let us take an example. Let it be from the realm of medicine. Should you fall ill, God ?forbids, what would you do

I would consult a doctor and explain to him the symptoms of my illness. He could ⁕ .then prescribe for me the appropriate medicine

?Why don't you diagnose your illness and prescribe the medicine –

.I 'm not a doctor ⁕

The same goes for jurisprudence. You need to consult a jurist to be able to know the – bounds of Allah's injunctions. You may need to seek his specialist knowledge in solving your legal problems, should you have any. This works in exactly the same way when you seek the specialist knowledge of the doctor and enlist his help in curing your .illness

Since you spare no effort in looking for an experienced doctor in his field of specialization, you will need

to look for the most knowledgeable amongst the jurists to follow. This is so because you need his expertise to explain to you religious matters and show you how to act .upon them as he sees fit

How would I know that a particular alim is a jurist, and whether he is the most ⁕ ?erudite and the best in the field

Let me put it this way: How would you know that a particular doctor is the best in his - ?field to trust his medical judgement

I would be able to know after asking those who are concerned with and experts in ⁕ medical matters. I could also know him through his scientific prowess and widespread .good reputation among the generality

Precisely! By the same means, you should be able to know the jurists or the most - .erudite among them

You may ask a committed Muslim who is known to be of impeccable character, trustworthy, just, knowledgeable and expert in knowing the scientific level of people .in a particular discipline

Popularity of the jurist which sets him in a different league from his peers, so much so that this leads to certainty as regards his juridical prowess and knowledge, is another .avenue

Are there any other conditions, apart from that of juridical excellence, that should be ⁕ ?present in the jurist we should follow

He should be a man, adult, sane, believer, just, living not dead, of pure pedigree, and - .should not be prone to mistakes, forgetfulness, and inattention

Well. Here I am, a ⁕

?fully-fledged man. I now know something about taqleed. What else should I do

You should follow the most erudite among the jurists of your time. Act upon his - fatwa in the different spheres of your life. They could be rulings relating to acts of worship, such as wudhu, ghusl, salah, sawm, hajj, khums, zakat and so on. You should also act upon his legal opinion in matters concerning transactions, such as buying and .selling, marriage, banking, will, waqf, etc

:I joined my father in numerating many other examples

* Enjoining good and forbidding evil, belief in Allah, His apostles and messengers and ..

No, belief in God and His unity, the prophethood of our Prophet Mohammad (s.a.w), - the imamate of the twelve Imams, and resurrection are matters outside the remit of taqleed. They are of the fundamentals of religion. A Muslim has to believe in them unequivocally, leading up to belief in Allah, using one's own effort and what intellectual power Allah has instilled in you to reach personal satisfaction and certainty .in the matter

* ?Well. Do I have the right to follow a jurist who is less knowledgeable

You can, provided that you know of no difference in the fatwa of the jurist you follow - .and the most knowledgeable one in the questions you need to act upon

* Suppose I chose to follow the most erudite among the jurists and it happened that he had no fatwa on certain matters concerning me, or he had a fatwa, but I was not

?aware of it, what should I do

.You rely on the fatwa of the next most knowledgeable -

What, if the rest were all of the same calibre insofar as juristic knowledge is ⁕ ?concerned

You may consult the one who is more cautious than the others in passing - .judgement

?Should they all be of the same degree of godliness and caution, what should I do ⁕

You may act upon the fatwa of any one of them, except in certain situations, where - you should act according to ihtiyat (Precaution - a level of legal judgement) that I can't .explain to you right now

All right. If need be, I can consult the doctor to know his opinion on the state of my ⁕ health. How would I know the fatwa of the jurist I follow so that I can act upon it? Do I ?have to consult him on every occasion

There are few ways by which you may know his fatwa. You may ask him directly. - You may ask other people whom you trust. You may consult his books, especially his treatise on articles of religious practice (Risalah Amaliyah), if you were sure of the .authenticity of the copy you have

If this is the case, I need not look beyond this house, for I cannot find a more ⁕ trustworthy person than you. Can I ask for your help in knowing the fatwa of my ?(religious authority (jurist

I could see a broad smile on the face of my father; he sat straight

and the spark in his eyes was suggesting that we would begin a lively discussion.

* Shall we start with prayer.

- Why not! prayer, however, requires man to be ceremonially clean.

* So, what renders human beings impure?

- What renders humans impure are two things:

١. Material things, such as najis things, i.e. tangible matters.

٢. Immaterial things that are contingent on certain actions; if done, you need to perform wudhu, ghusl, or tayamum to remove the impurity. These are things like janabah, haydh, istihadha (Undue menses), touching a dead body, etc.

However, before prayer, we need to know najis things. Also, we need to know the purifying agents to ensure the purity of the body from that which may have defiled it.

We can then stop over certain occurrences, such as going to the toilet, breaking wind, sleep, etc. that require wudhu or tayamum.

We may then resume the conversation on things such as janabah, haydh, nifas (bleeding that occurs after childbirth, miscarriage, or abortion), etc. that require ghusl or tayamum.

Thus, eliminating from our way all that which may forestall our effort to seek nearness to Allah through prayer. This may make us taste the joy of standing before God, and chanting His Glory and Praise. That we may draw solace and peace of mind from being in His audience, and singing His love and praise.

After those topics, we may turn to fasting, hajj, etc.

* So, we shall start discussing najis things.

- Yes, tomorrow. Inshallah (God willing).

.Inshallah ※

Dialogue on Najis things

My father started the dialogue with

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:determination, saying

Let me tell you of a principle, that will have an impact on your life, in that "Everything – is tahir". Everything: Seas, rivers, rain water, trees, sahara, mountains, streets, .buildings, tools, utensils, clothes, your brethren, etc

..Everything is tahir, until it becomes najis or contaminated, except

?Except, what ❊

.Except that which is intrinsically najis –

?What are the things that are naturally najis ❊

:Ten things –

and ٢. Human urine and excrement. The urine and dung of animals that are not halal .١ to eat, if they have ethereal souls, such as cats; [the urine of other creatures if they do .[not have ethereal souls, yet they have flesh

?What is an ethereal soul ❊

It is a term that we will come across often during this conversation. So, we better – .throw some light on it

We may describe an animal as having an ethereal soul, if, when slaughtered, blood .gushes out from its body because of the presence of arteries

As for the animal that has no ethereal soul, the blood seeps out gently when it is killed, .such as fish. This is because it has no arteries

.Meeta (carcass) of animals that have ethereal souls .٣

?What is meeta ❊

.Any animal that perishes without being slaughtered according to Islamic shari'a law

?Such as ❊

Any animal that dies as a result of disease, accident, or was killed in an unlawful way. -
.The carcasses of these animals are called meeta

?When a human being dies, does his body become najis ⁕

Yes, except martyrs and those who performed -

ghusl before they are executed according to Islamic penal code.

* Do all other bodies remain najis?

– No, a Muslim's dead body becomes tahir once three types of ghusl are carried out on the body, which I will explain to you in a forthcoming session.

۴. Human semen and the semen of an animal with an ethereal soul, even of the kind whose meat can be consumed.

۵. Human blood and the blood of animals with ethereal souls.

* What about the blood of animals who have no ethereal souls?

– It is tahir, such as fish blood.

۶. All parts of a wild dog's body whether alive or dead.

۷. All parts of a pig's body whether alive or dead.

* What about seals?

– They are tahir.

۸. Alcohol [and beer].

۹. The unbelievers, whether alive or dead, excluding Christians, Jews, and Magians.

۱۰. The sweat of animals that feed on human excrement.

These ten things are all inherently najis. Their najasah (impurity) will render other objects najis by any means of contact, if there is dampness.

* What, if there is no wetness?

– The najasah does not spread to things that meet with it, when dry or if there was slight moistness.

Are urine and dung of animals, and urine and droppings of birds, that are halal to ⁕ ?eat, such as cows, sheep, chicken and other birds, etc. tahir or najis

.They are tahir –

?What about bats' droppings ⁕

.They are tahir –

Could you tell me about these parts of dead animals and birds: feather, mohair, ⁕ ,wool, nails, horns, bones, teeth, beaks

?and claws. Are they tahir

.They are all tahir –

?What about meat we buy in the marketplace, if we find traces of blood in it ⁕

This blood is tahir, and the blood that remains in the carcass of the animal after it – .has been slaughtered, according to Islamic shari'a law, is tahir

?What about the droppings of rats and mice ⁕

.They are najis –

If you consider what I talked to you about, you could have answered this question yourself. You may recall our discussion earlier about animals that have arteries which .cause blood to gush out when they are slaughtered

The serene twinkle in the eyes of my father, I noticed at the start of this conversation, :has reappeared. He glanced at me and added

As you may remember, when we started this dialogue, I spoke to you of a general principle that could have an impact on your life. I will conclude it with more basic .principles of equal importance

Principle number one: Everything is tahir. If, however, you become doubtful whether it .is still the case, you should rule out your doubt, i.e. it remains tahir

?Such as ⁕

.If you think that your bed linen is tahir, you may consider it tahir –

Principle number two: Any thing that was najis, and you are not sure whether you .made it tahir, remains najis

?For example ⁕

Your hand. You were absolutely sure that it was najis. If, afterwards, you became –

.unsure whether you made it tahir, it remains najis

Principle number three: Anything you do not

have prior knowledge as to its state, i.e. being tahir or najis, it should now be .considered tahir

?For instance ⁕

A liquid in a glass, whose state of purity is suspect. That is, if you do not know – .whether it is tahir or najis, you should assume that the liquid is tahir

Principle number four: Anything you are in doubt as to its being najis or not, as a result of coming into contact with some najis thing, you should not carry out any investigation, be it simple or not, to ensure it was tahir. You should assume that it is .tahir

?Such as ⁕

Suppose you were sure of your shirt being tahir. Now, some doubt lingers in your – mind that it might not be the case. Maybe, you think it might have been contaminated with urine, in which case, you need not carry out any investigation; for instance, you .start looking for traces of urine on the shirt. You should assume that it is tahir

(Dialogue on ritual purity (Taharah

Before my father came to attend this session, I had been meditating. I was trying to find applications to the theoretical information, I gleaned from the Dialogue on Najis Things, in my daily life. In so doing, I might be able to rectify my misconception of najasah. I was eager to know from today's session how purity is restored to things .after they have been contaminated

:No sooner had my father arrived, I started by asking him

Yesterday, you told me that things become ⁕

?tainted if they meet with najasah. I wonder how lost purity is restored to these things

The First" of purifying agents is water. By washing najis things with water, you" –
.render them tahir again. That is why we should start our discussion with water

.Water is of two kinds: pure and diluted

?What is pure water *

Pure water is that which we and animals drink, and irrigate plantations with. The – water of oceans, seas, rivers, streams, wells, and that which we use at our homes through mains supply is pure water. For example, the water of rivers and brooks .remains pure, even though it may contain some impurities, such as soil and sand

?What then is diluted water *

Diluted water is known by the additional name you give it to qualify the type of – water. For example, you say rose water, grape water, melon water and so on. However, this is not a matter that concerns us. As you may have noticed, our discussion revolves around the water we drink and use to wash and clean things that .became najis

Moreover, pure water is of two types: immunized (mu'tasim) and that which is not .immunized

?Immunized! What precisely do you mean *

Immunized water is that which does not become najis when najasah meet with it, – except when either its colour, taste, or smell changes as a result. Water that is not immunized is that which turns najis as soon it comes into contact with anything najis, even though none of its three

.attributes is affected by the pollutant

?Could you tell me more about immunized waters ⁕

Abundant water that satisfies the capacity of a kurr (a unit of size, equivalent to ۳۸۴ .۱ - litres) or larger, such as the water connected to our homes through the water grid, the water of storage tanks installed in our homes, if they were of a kurr capacity, and .smaller water storage tanks, if they were directly connected to mains water supply

.Well water .۲

.Running water, such as that of rivers, tributaries, streams, and springs .۳

.Rainfall .۴

.These are the immunized waters

?What then are waters that are not immunized ⁕

These are waters found in small reservoirs, utensils, bottles, tumblers, etc. that are - stagnant, apart from well water that is less than kurr, and that which is termed "little .water". By now, you know they become najis on contact with najis things

?What about diluted water ⁕

It is judged by the same criterion as that applied in the case of "little water". - However, it becomes najis on contact with najis things, irrespective of its quantity. An example of water that comes under this banner is that of tea. Liquids that may come under the same definition are milk, kerosene, medicinal liquids, etc. They turn najis .when they meet with najasah

Moreover, when "abundant water" is connected to "little water", the latter can be regarded as abundant whereby it remains immunized as long as it is fed from an abundant source of water. To give you some examples, your

domestic storage tank that is normally connected to water mains supply becomes abundant; likewise, if you placed a bowl or a saucepan under the running water of a sink tap, the water in it becomes abundant, and so on. That is, as long as the water .remains running

Fine. What, if a drop of blood falls in the water of a tank the size of a kurr, that is not ⁕ ?connected to the mains

It will not become najis, unless blood keeps dripping that the colour of the water – .changes to yellowish, for example

?What, if it falls in a small plate ⁕

.It will render it najis –

?What, if we turn the tap on, thus restoring the original purity of the water ⁕

The water in the plate will become tahir. [However, it will become najis again, if you – turn the tap off. This is because, if the plate becomes najis, it becomes tahir only when .it is washed three times], as shall be explained to you later

If we were to pour water from a pitcher, or watering can, onto something najis, ⁕ ?does the water become najis

No, because najasah does not climb the water column. Accordingly, neither the – .cascading water nor the water in the can becomes najis

?How would rain water render najis things tahir ⁕

When rain continues to fall on things that had become najis, be they floor, garments, – .mats, utensils, etc. in such a quantity that it soaks them, they become tahir

Is it sufficient that ⁕

?rain pours on such najis objects once to render them tahir

Yes, except in the case of the human body and garments that became najis through - contamination with urine. They need to be washed a number of times. [The same .[goes for najis utensils

?Does rain water render tahir other water that became najis *

.Yes, when they mix -

?How do we render tahir objects that had become najis, if we have little water *

We can render tahir anything najis by washing it once with water, be it abundant or - little. However, when washing with a limited quantity of water, you need to separate .the water from the najis thing

?Can all things that turned najis be rendered tahir in this way *

:Yes, except the following -

Cutlery that became najis through contamination with alcohol should be washed .١ .three times so that they become tahir again

Objects that became najis through contamination by nursing babies should be .٣ rendered tahir by soaking the affected parts with water; there will be no need for .wringing the garments, for example

Utensils licked or lapped by dogs should first be scrubbed with soil or dust. They .۴ should then be washed with water twice. If, however, dog's saliva falls in such utensils, or they meet any part of the dog's body, [they should be wiped with soil first, .[then washed with water three times

Garments contaminated with urine should be washed with running water once. .۵ They should be washed twice if the water used was that of

taps, kurr, or little water; they should also be wrung. As for garments that became najis through other means, they should be washed with either little water and wrung .or with abundant water without the need for wringing

Restoring the purity of the body, that became najis by urine, should be done .۶ following the way outlined in the preceding paragraph. However, if the water was little, you should separate the water used for purification from the body as is .customary

If the interiors of utensils have become najis as a result of any source of najasah, .۷ other than those of alcohol, dogs, licking by a pig, death of a rodent, they should be washed three times with little water, or [three times too] with abundant water, .running water, or rain water

?What, if the interior of utensils become najis in the same way ⁎

.They should become tahir again, if they were washed once, even with little water -

?How can I render my hand tahir after it has become najis, if I have little water ⁎

If it was not made najis through urine, you can pour water on it once. As soon as the - .water becomes separated from your hand, it becomes tahir again

.The Second purifying agent is the sun

?What are the najis things, that the sun can render tahir again ⁎

It renders ground and buildings - apart from doors and other wooden material -- straw rugs, not the strings used in making them, and bamboo mats tahir again. [Other

things that are not covered are trees and their leaves, plantations, and fruits before .[.they are picked, etc

?How does the sun render the floor and buildings tahir ⁕

.It does so by drying them up, provided that the actual najasah is removed –

?What, if the najis ground was dry, how can we restore its original taharah ⁕

By pouring water on it. Once sun light causes the water to evaporate, it becomes dry – .and thus tahir

What, if the ground became tainted with urine, then the sun shone on it and it ⁕ ?became dry

.The ground restores its taharah, if no trace of urine was left –

Suppose things like shingle, stone, soil, and mud, that are considered part of the ⁕ earth, became contaminated with urine. They were then rendered dry by sun light. ?Should they be considered tahir

.Yes, they should be considered tahir –

?What about nails used in buildings ⁕

They are not covered by the same principle, i.e. they are not rendered tahir by sun] – .[light

The Third purifying agent is the removal of najasah from certain parts of the human .body, and those of animals, that have become contaminated

?Could you give me an example ⁕

.Removal of blood from the mouth, ear, and nose is a removal of the najasah –

In other words, as soon as the blood is removed they become tahir, i.e. there is no .need to use water

?What about an animal's body ※

The same rule applies. For example, if the blood disappears from the beak of a –

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.chicken, or the mouth of a cat, the beak and the mouth should become tahir again

Does the needle, used in injecting medicine into the body of a human or animal, ❊
?become najis as a result of meeting blood inside the body

No, it does not become najis, if it comes out uncontaminated with blood. This is -
because najasah does not materialize through meeting najis things inside the body
.per se

:The Fourth purifying agent is earth

Whatever comes under the definition of earth, such as stones, sand, soil, flooring with bricks or cement - not tarmac, has a purifying quality. It is, however, conditional that
.the earth should be [dry] and tahir

?How can I ascertain that it is tahir ❊

As long as you do not know that it was najis, it is tahir, and therefore can be -
.considered a purifying agent

?What are the najis things that the earth renders tahir ❊

The soles of feet and shoes are rendered tahir by walking or rubbing them against -
earth, provided that the material najasah is removed as a result of walking or wiping. It is to be noted, however, that the najasah should have originated from the earth, be it through walking or in any other way. [If it has come about from other sources, earth
.[cannot serve as a purifying agent

.The Fifth purifying agent is the state of belonging or affiliation

?For example ❊

If the unbeliever, who is deemed najis, becomes a Muslim, he is rendered tahir. -
Subsequently, his young offspring

become tahir. The same goes for the grandfather, grandmother, mother, and their young babies, after they have embraced Islam. This should be the case regarding the young child, as long as it is under the guardianship of those who converted to Islam. .That is, the child should not be in the company of an unbeliever

Also, if alcohol turns into vinegar it becomes tahir. As a result the bottle or glass that .contains it becomes tahir too

The dead body becomes tahir, when it undergoes three types of ghusl. As a result the hands and clothes of the person conducting the ghusl become tahir, and so does the .bench on which the body was laid for washing

If a najis garment was washed with little water, for instance, it would become tahir, .and so would the hands that did the washing

.The Sixth purifying agent is Islam

?How does Islam work as a purifying agent? And whom does it render tahir ⁕

Islam renders tahir an infidel who was deemed najis. That is, after he had embraced – .Islam

.Accordingly, all parts of his body become tahir

The Seventh purifying agent is the absence of a Muslim who is adult or a discerning .youth

?What do you mean by the absence of a Muslim ⁕

.The Muslim who is physically not around –

?How does his absence work as a purifying agent ⁕

When a Muslim is away, all his belongings should be considered tahir, if you think – .that he rendered them tahir

?Could you give me an example ⁕

Suppose the shirt

of your brother was najis. He does not know whether it was najis or not. However, you may know it is the case, irrespective of whether or not he was a practising Muslim. Your brother has gone away and returned. To the best of your knowledge, your brother has rendered his shirt tahir, in which case, you should assume that the .shirt be tahir, without the need to ask him

.The Eighth purifying agent is transfer

?For example ⁕

Human blood that was sucked by a mosquito. If you had smashed the insect and - .your clothes became tainted with that blood, it is tahir

.(The Ninth purifying agent is istihala (transformation

?What is transformation ⁕

Transformation is a complete change of something to something else, not only by - .name, but also through change of its properties, or dispersal of its parts

?Could you give me an example ⁕

If a najis wood, or the dried animal dung used in fire, is burned and subsequently - .turned into ashes, the latter is tahir

The Tenth purifying agent is the blood trapped inside the carcass of animals .slaughtered according to Islamic law

The Eleventh purifying agent is the change of alcohol into vinegar because, while in .the process of fermentation, it turns najis. If it turns into vinegar, it becomes tahir

The Twelfth purifying agent is weaning the animal that developed a habit of eating human excrement. This is because the meat of such an animal becomes haraam to ,consume, so does drinking its milk. Its urine, dung, or droppings

.and sweat become najis too

?How do we achieve the weaning of this animal ⁕

It could be achieved by preventing it from eating human excrement for such a – .period that it could be said that it reverted to its natural self

?If this was achieved, what then ⁕

.We can then deem its meat, milk, etc… tahir –

Dialogue on Janabah

Unusually, my father was present before me for today's session. When I joined in, at first my father did not notice my arrival. He was quiet and in a reflective far away .mood

:As soon as he became aware of my presence, he said

.I am starting today's dialogue with an introduction to the topic of janabah –

In the Dialogue on Najis Things, we discussed impurities that strip the human body .and other things off their natural purity

In the Dialogue on Ritual Purity (Taharah), we talked about the purifying agents that .restore to our bodies and those of other things their usurped purity

You may recall, we said that najis things are material things that are transient .occurrences eminating either from the body itself or from outside sources

There are, however, other intangibles that, if they occur, render the body impure. It .would, therefore, require that which could reinstate its lost goodness

.There are two types: Major and minor

Major occurrences comprise janabah, haydh, nifas, major istihadha, touching a dead .body, and death itself

.Minor occurrences cover urine, excrement, breaking wind, sleep, minor istihadha, etc

.Major occurrences are purified by ghusl or wiped off by tayamum

Minor occurrences can be removed by

wudhu or tayamum. Our future dialogues shall cover these aspects one by one. This time, however, we will discuss janabah.

I said to my father.

⁕ How does janabah come about?

- It happens as a result of one of the following:

١. Seminal discharge that takes place as a result of either sexual intercourse, during a dream, masturbation, or any other means.

⁕ What are the characteristics of semen?

- A sticky liquid that smells like dough. Its colour is milky with a hint of either green or yellow. It is ejaculated when orgasm is reached, after which the body feels relaxed.

⁕ If you were not sure whether such liquid was semen?

- There must exist three characteristics for it to be called semen. They are: Sexual desire, ejaculation, and resultant relaxation of the body. In sick people, however, sexual desire is sufficient.

⁕ Do women have semen as men?

- Yes, secretion from the woman's vagina at the climax of sexual activity is akin to man's semen. This could happen when the woman is either awake or asleep.

٢. Sexual intercourse, irrespective of whether or not it led to ejaculation. It's sufficient for sexual intercourse to be termed as such when only the part of penis that contains the foreskin is thrust into the female's vagina.

⁕ What if the semen is secreted or a sexual intercourse takes place?

- Janabah occurs to both parties, where applicabe, irrespective of age and state of mind.

?If this was the case, then what *

,Ghusl becomes obligatory, so that you can, for example –

perform prayer, or do tawaf (Circumambulation - turning seven times around the Ka'ba) for hajj. That is, prayer and tawaf cannot be deemed valid without the ghusl. .As for how to do ghusl, this I'll explain to you in the Dialogue on Ghusl

:However, certain acts become unlawful if you are in a state of janabah, such as

۱. Touching the writing of the Holy Qur'an.

۲. Touching the Name of the Almighty, i.e. the Arabic name, Allah [and other names and adjectives attributed to Him, such as "al-Khaliq" - The Creator].

۳. Recitation of the four verses of "as-Sajdah" in Chapters "Iqr'a, an-Najm, as-Sajdah, and Fussilat" of the Holy Qur'an.

۴. Entering mosques and/or staying in them, taking anything out or putting anything in them [albeit from the outside or when passing by]. It is permissible, however, for a person in a state of janabah to pass through, such as entering from one door and making an exit from another, except in the case of the Grand Mosque at Mekkah and the Holy Mosque of the Prophet at Medina. [The same rule applies in the case of the holy shrines of the Infallibles].

* Are the forecourts and corridors, when they are not considered part of the well-defined area of the mosque, covered by the same rule?

- No, they are not.

* Since we are on the subject of janabah, I still have a burning desire to ask you a question, but I feel rather embarrassed.

- Ask whatever you like. The maxim has it, "There

.”shall be no embarrassment in matters of religion

Sometimes, when I am sexually aroused, I notice a rather sticky, transparent and ⁕ .white liquid secreted from my penis

Yes, this type of liquid is tahir. You are, therefore, not required to perform ghusl or - wudhu when you experience it. There is another type of secretion that sometimes .follows urination. This too is tahir

?What about masturbation ⁕

It is haraam. You must avoid it. It suffices to mention that, in some narrations, Imam - Ja’far as-Sadiq (a.s.) “An acronym for Alaihis Salaam - meaning, may peace be with .him”, described it as a form of adultery

Dialogue on Haydh

My father took his seat. I could notice a broad smile on his face that led me to assume .that he was bent on something unusual

.I’ll talk to you today on haydh -

Before today, I did not know what haydh is, although I remember I hearing the word before. What had interested me in the subject was that I hear women whisper about it, with noticeable embarrassment, as if there was something shameful in the word. However, I do not hide a secret if I say that as soon as I was faced with a real situation of the subject being discussed in the open, a kind of shaming started to creep into me. I do not know why I was gripped with embarrassment. I resigned to the fact that if haydh was indeed so humbling a matter to talk about, how my father is going

?to discuss it with me

Yet, aren't we discussing matters of Islamic law? Surely, this topic should be within the remit of Islamic jurisprudence. So, why should we feel embarrassed to talk about it? Is it not mentioned in the Holy Qur'an? Didn't the Prophet (s.a.w.) and the Imams (a.s.) talk about it to their companions. And after all, why should we feel a sense of ?shaming to talk about a subject whose rules we must know in order to follow

.My self-examination was short-lived as my father resumed his talk

Haydh is a bleeding from a woman's genitals. It occurs at regular monthly intervals - .and whose colour is dark red. When it leaves the body, women can feel its warmth

?Is there a certain age group of women who experience haydh ❊

Although it varies from person to person, it can start at the age of nine lunar - .calendar years till the age of sixty, which is the climacteric

?So, between ٩ and ٦٠ years ❊

Yes, any blood that can be seen before the age of nine and after the age of sixty - .does not fall under the definition of menstral blood

?How many days does the bleeding last ❊

.The minimum period is three days and the maximum ten -

?Suppose it lasted three days, then stopped ❊

.This cannot be considered period blood -

?What if it lasts more than ten days ❊

.This is not haydh blood -

How should one treat the case of a woman whose haydh ended, then she had ghusl ❊ only

?to see blood again, say after nine days

The blood that the woman saw should not be treated as haydh blood, because the - .period separating any two periods should not be less than ten days

?When does the woman consider herself as having a period ※

When she starts bleeding at the time of her temporary period, or before her regular - .period, say one or two days earlier

?How should a woman be described as having a temporary period ※

She could be described as such when the period blood appears twice in any period of - .two months or more

How do you describe a woman who does not fit the two categories mentioned ※ above, such as the young woman who experiences period blood for the first time, or a ?woman with an irregular period

A woman in any of the two examples you've just quoted can describe herself as - :having a period when one of the following two conditions arise

For the blood to be termed as menstrual blood, it should be red or black in colour, .۱ .warm, and could pour out profusely

.When the woman is sure the blood continues for three uninterrupted days and over .۲

Well, suppose she thought that it was period blood according to point one. ※ Accordingly, she stopped performing prayer. However, the bleeding stopped before ?the lapse of the three-day period. What should she do

.She should perform prayer in lieu of the period of bleeding -

If the bleeding continues for ten days or ※

?less, but exceeds the duration of her normal period

She can still be considered as having period throughout the duration of the bleeding, - .albeit some of the blood can no longer satisfy the conditions of period blood

What if the woman has regular periods, in both the number of days and the date of ⁕ ?the period, yet the bleeding continues for more than ten days

She should observe the bleeding that coincides with the duration of her period only - .as that of menstruation

Suppose the same woman failed to have her period on time, then the blood ⁕ appeared and continued for more than ten days. However, some of the blood bore the characteristics of period blood, some of it did not. Which one should be treated as ?haydh

The first one. Yet she should take into account the number of days of her previous - normal period. If that part of the blood that fulfils the conditions of period blood was less than the number of days of a normal period, she should complete it by adding the remaining days of that part of the blood that did not satisfy the conditions of period blood. If, however, the bleeding she was experiencing satisfied the criteria of period blood, she should stick to the number of days of her normal period and consider it .haydh

Should the bleeding continue for more than ten days in the case of a woman who ⁕ either experiences bleeding for the first time or that whose period

is irregular, how should they differentiate the period blood from other kinds of ?bleeding

All depends on the characteristics of the blood and the duration. If some of it bears - the qualities of period blood and it continued for a period of three to ten days, should be treated as haydh. The remaining type of blood should be considered istihadha, .which shall be the subject of a forthcoming session

?If the woman was in doubt as to whether her period has ended, what should she do *

.She must check -

?In what way *

She should insert a piece of cotton into her vagina and leave it for a short while and - retrieve it. If no traces of blood could be seen, she must assume she is tahir, do ghusl and resume acts of worship. Should the piece of cotton, however, found to be soiled .with blood, she must maintain that she is still in haydh

When the woman knows she has haydh, what are the things that are permissible for * ?her to do and those that are not

:The rules regarding woman’s periods are -

.No prayers should be performed, be they obligatory or voluntary .۱

She is not required to perform any prayer instead of the ones she missed while she .۲ .had the period

.It is not permissible for her to fast .۳

She must fast instead of the days she missed while she had the period during .۴ .Ramadhan

.Tawaf during hajj, be it obligatory or voluntary is not in order .۵

She .۶

.cannot be declared divorced while still having her period, except in certain situations

It is haraam to have sexual intercourse with a woman who is having a period. It is .٧ permissible, however, after the bleeding had stopped. However, it is permissible .[before performing ghusl [and after washing the vagina

It is haraam for her to embark on any act of worship, in the same way as certain .٨ acts are not permissible for a person who is in a state of janabah. This, as you may .(recall, was discussed in detail in the (Dialogue on Janabah

When her period is over, she should perform ghusl in order to be able to perform .٩ .(prayer. This, I will explain to you in the (Dialogue on Ghusl

Dialogue on Nifas

.I'll talk to you today about nifas

?What is nifas ⁕

.It is a type of bleeding which occurs after childbirth –

?How long does this bleeding last ⁕

.A maximum of ten days –

?Is there a minimum period for it ⁕

.There is no lower limit for it –

?Does it vary from one woman to another ⁕

:A woman in a state of nifas could fall in one of three categories –

.The first category is that of a woman whose bleeding does not go beyond ten days .١

?What is the ruling in her case ⁕

.The entire period of bleeding is treated as nifas –

The second category is that of women, who have regular monthly periods of a .duration of, say, five days, and whose bleeding goes beyond ten days

What ❋

p: ۴۹

?is the ruling in their case

They must treat the duration of nifas as equal to that of a monthly period, such as in - .the example I gave earlier on

?What about the remaining days ⁕

.They should be treated as istihadha -

The third category is that of women, with no regular monthly periods and no specified .number of days, whose bleeding exceeds ten days

?What is the ruling in their case ⁕

.They must treat ten days only as the duration of nifas -

Well, suppose a woman in a state of nifas has a fixed monthly period, and the ⁕ bleeding exceeded the specified number of days she usually has her period for. She was unsure whether the bleeding would stop before or after the ten-day period. What ?should she do

She should abandon all acts of worship until after the lapse of the ten-day period. If - the bleeding stopped, she has to treat the entire period as nifas. Should the bleeding continue after the tenth day, she must perform ghusl and uphold the rules applicable .to a woman in a state of istihadha

What about the intervening period between the end of her monthly period and the ⁕ duration that completes the ten days during which she abandoned the acts of ?worship

.She must treat it as istihadha and perform those acts of worship, she missed, in lieu -

?If the bleeding was intermittent during the ten-day period, how should it be treated ⁕

.The first bleeding and the second one are considered nifas -

How ⁕

?do you, though, describe the intervening tahir period

She should combine those acts of worship a tahir woman should perform and those] -
.[she should abandon during nifas

If the total period of bleeding does not exceed ten days, but the bleeding is of an *
?intermittent nature, how should the woman go about it

All the days that she had the blood should be treated as nifas. As for the intervening -
periods, when she had no blood, [she should combine the acts of worship as if she
.[were tahir and refrain from those acts as if she were in a state of nifas

What is the ruling in the case of a woman who completed the ten-day period, only to *
?start bleeding again

Any type of blood that appears after the ten-day period, be it that which satisfies the -
criteria of haydh or otherwise and whether it coincided with her monthly period,
.should be treated as istihadha

?What are the rules that should be upheld in the case of a woman in a state of nifas *

All that which a woman in a state of haydh can or cannot do is applicable to a woman -
in a state of nifas. There is no difference whether the acts of worship were obligatory or voluntary, makrouh or haraam [even non-permissibility of reciting the Ayas of Sajdah of Chapters of Azaa'im (The four verses, of Iqra', an-Najm, as-Sajdah, and Fussilat, in the Holy Qur'an, as it is obligatory to perform prostration when they

are read or heard), admission to The Holy Mosques in Mekkah and Medina – albeit by way of passing through them, entering and staying in other mosques and leaving .anything inside. You may refer to the Dialogue on Haydh

Dialogue on Istihadha

My father took his seat. He gave the title of istihadha to today's session. No sooner had he finished uttering the word, it dawned on me that the word has a ring about it that reminded me of haydh. Thus, I concluded they might be related and that the .subject could concern women. That is, a kind of bleeding is involved

:I asked my father

?Is istihadah confined to women ⁕

..Yes, but –

?But what ⁕

Yes, it is, provided that the bleeding is not that of haydh, nifas, wounds, ulcerations, – .and that resulting from ripping the virginal membrane

.There are quite a number of different types of bleedings ⁕

Some of them indicate woman's fertility and youth. Don't you notice that when a – .woman reaches menopause, she cannot bear children

Since the nature of the blood of nifas, wounds and pimples is known, how could the ⁕ ?woman differentiate between the blood of istihadha and haydh

?Do you remember the characteristics of haydh blood –

.Yes, I do. It is red or blackish in colour and warm ⁕

It is often the case that istihadha blood differs from that of haydh. It is yellowish in – .colour, thin in property, and seeps out without a sting or burning

How could a woman identify that istihadha blood ❊

p: ۵۲

is not that resulting from bursting open the virginal membrane, especially at the time ?of her wedding

The blood resulting from puncturing the virginal membrane is little, in that if the - woman places a piece of cotton inside, the blood will form a circle round the cotton. The blood of istihidha, on the other hand, could soak the piece of cotton, and .sometimes exceeds it

That said, istihadha is of three types: A major one that I have just talked about, a medium one in which the piece of cotton could be soaked, but not more, and a minor one where the blood may soil the piece of cotton, but not to the saturation point, .because it is little

?What is the ruling on each one of these types of istihadha *

For a major istihadha, the woman must perform three ghusl. One for Subh (Dawn - prayer), one for Dhuhr (Noon or lunch-time prayer) and Asr (Afternoon prayer), if performed concurrently, and one for Maghrib (Sunset prayer) and Isha (Evening .prayer), if she decides to perform them consecutively

?And If she was to perform each one of them separately *

.She must do ghusl for each prayer -

?Is this a universal rule *

Well, this is the ruling, if the bleeding was continuous. If, however, it was - intermittent, so much so that she could perform ghusl and say one or more prayers before the bleeding resumes, [she must renew ghusl after bleeding recurs. If, for example, she had a ghusl for Dhuhr prayer

and bleeding resumed before or during Asr prayer, she must have another ghusl for it]. However, if the interval between any two appearances of blood was long enough .to perform two or more prayers, it is permissible without the need for a new ghusl

This applies to major istihadha. In a medium istihadha, she must do wudhu for each .[prayer [and ghusl once a day before the first wudhu

?Could you give me an example ⁕

Before Subh prayer, a woman discovered that she had istihadha. Upon checking, - she ascertained that it was a medium one, she must [do ghusl] and perform wudhu for Subh. The ghusl that she carried out should suffice for the whole of that day, provided she does wudhu for every prayer. Come a second or a third day, she must do the .whole procedure again. That is, if no change has occurred as to the type of istihadha

?Does the istihadha change from one type to another ⁕

.Yes, it may change. A major istihadha could turn into a minor one, and vice versa -

?How would a woman know that her istihadha has changed ⁕

She must check for the blood before every prayer] and act according to the degree] - .of istihadha, be it minor, medium, or major

?Should she change the towels she uses during the istihadha ⁕

Yes, if they were of the disposable type. If not, they should be washed, for every - prayer when the istihadha is minor or medium. Should it be a major one [she

must change them, if it was possible] and take extra precaution against blood coming out for the period from the ghusl to the end of prayer, provided that such a precaution .does not entail any harm to her wellbeing

?Should she embark on prayer as soon as she becomes tahir ⁕

.[.Yes] -

?What is the ruling on istihadha ⁕

A woman in a state of istihadha must become tahir, for prayer, as soon as the .١ bleeding stops by way of wudhu, if istihadha was minor or medium, and through .ghusl, if it was major

It is not permissible for a woman in a state of istihadha to touch the writing of the .٢ .Holy Qur'an. It is permissible, however, to do so after she becomes tahir

In the case of divorce, it is permissible to pronounce a woman, in a state of .٣ .istihadha, divorced

Certain prohibitions, such as sexual intercourse, entering, staying in, and leaving .۴ something inside mosques, and reciting the ayas of sajdah, that are imposed on a .woman in haydh do not apply to a woman in istihadha

Fasting of a woman in a state of minor or medium istihadha is acceptable, even .۵ though she may not be able to observe wudhu or ghusl for prayer. As for a woman with a major istihadha, a number of jurists maintain that the acceptability of her fasting is dependent on her doing ghusl the night before and the ghusls during the day of fasting. However, it is most evident that this should not

.invalidate her fasting

Wudhu is not obligatory on a woman with major istihadha, for ghusl would make up .۶ for wudhu. As for her who is with a medium istihadh, she must do wudhu after ghusl .[[that is obligatory on her

Dialogue on death related matters

I was tense, apprehensive, and agitated when my father started the discussion on the topic of death. He approached the subject with due care and serenity that was .expressed in his look and the intonation of his voice

This seemingly unusual way of starting the discussion and the somewhat death charged atmosphere scared me, causing my heartbeat to go faster with a shiver down my spine. Finally, the drops of sweat that gathered on my forehead gave my .true feeling away

:When my father noticed the signs of fear in my eyes and on my face, he asked me

?Are you afraid –

?Why should I not be afraid ❊

?Are you afraid of death or the dead –

."Although I am afraid of death more than the dead, yet I said, "the dead ❊

It was a terrifying fear that I admitted to today, for I have never witnessed a person dying. I did not know how I would face the experience of someone dying before my eyes. Before today, when I witnessed a funeral procession, a state of melancholy .would force me to turn away

.Yes, I am scared of the dead ❊

.I said it for a second time to reinforce my state of mind

Are you scared of the dead more than death? What –

.is there after death to be afraid of? My father explained

He added: Are you scared of a person who just moments before death was like you; he used to eat, drink, laugh, cry, go for a stroll, have dreams, sleep etc. Then .surrendered to death which does not spare anyone

Why not be more realistic and admit that you are afraid of death more than you are of ?the dead

Haven't you asked yourself where all those bygone nations and their generations .have gone

The day when their abodes became graveyards and their wealth inherited; the day" they could no longer respond to a call nor hear anyone who bemoaned them". "How many of the gardens and fountains they have left! And cornfields and noble places! And goodly things wherein they rejoiced; thus (it was), and We gave them as a .(heritage to another people." (۴۴/۲۵-۲۸

?And where have those you know gone when they passed away

Where are your ancestors? "They exchanged the face of the earth for its depth, vastness for a very limited space, light for darkness, and parting with their loved ones ."to solitude

He then reminded me of the words of Imam Ali (a.s.) at the hour of his death, "Yesterday, I was your companion. Today, I am an example to be pondered. Tomorrow, I shall leave you. Take your lesson from the state I am in - my quietness, pacifity, my eyes can hardly turn in their sockets, and my limbs can hardly move. This is clearer to

."you than words of advice

My father also talked of the Imam's words when he warned of the fire of hell, "Let it be known, this delicate flesh cannot stand the hell fire. So, have mercy on yourselves as you have experienced the trials and tribulations of this life. Have you experienced agony of a prick of a thorn, a stumble that bleeds the foot, and the unbearable sweltering heat? Just imagine how much worse it will be, if one is thrown into two ."!layers of fire, lying on stone and taking Satan for a companion

,It is time you should fear the aftermath of death, not merely death itself

On the day when you shall see it, every nursing woman shall quit in confusion what" she suckled, and every pregnant woman shall lay down her burden, and you shall see men intoxicated, and they shall not be intoxicated but the chastisement of Allah will be .(severe." (۲۲/۲

On the day that every soul shall find present what it has done of good and what it has" done of evil, it shall wish that between it and that (evil) there was a long duration of time; and Allah makes you to be cautious of (retribution from) Himself and Allah is (Compassionate to the servants." (۳/۲۸

Let it be that the person who is in their last throws or who has just died serve as a .reminder for you that your turn shall come. It should not be a terrifying experience

A momentary silence prevailed

that gave me the chance to reconsider my position. However, it did not last long, for :my father cut short my contemplation, saying

Should it happen that you see a Muslim dying, leave your apprehensions aside and – .[(]turn him towards the Qiblah (the direction, of Ka'ba, one must face while praying

?How should one do that *

.Make him lie on his back with the soles of his feet pointing to the qiblah –

?Does this mean that I should stretch his legs in the direction of the qiblah *

Precisely, irrespective of whether the dying person is a man or a woman, old or – young. It is advisable too that you whisper into his ears to instil in him how to bear witness to the unity of Allah and the prophethood of Mohammad (s.a.w.), to acknowledge the imamate of the twelve Imams, and to recite the Chapter of as-Saffat unto him to ease the agony of the last throws of death. It is makrouh for a person who is in a state of either janabah or haydh to be present while a person is .dying, or to touch their body at the point of their giving up the soul

?And if he dies *

It is mustahab to close their eyes, shut their mouth, stretch their arms beside their – body, straighten their legs, cover them, recite verses from the Holy Qur'an, light the place where they used to dwell, and inform the faithful to attend their funeral; it is also mustahab to

.prepare the body for burial quickly, unless you suspect the person is not really dead

?What if you are not sure the person is dead ⁕

You may delay burial preparations until you have made sure that they were dead. - Then, it will become obligatory that you wash the body and take other necessary .steps

?What about foetal miscarriage or abortion ⁕

Even the foetus, of four months [or even less than that, but well-proportioned in - creation] should be accorded the same treatment. Prayer for its soul, however, is not .obligatory and not mustahab

?Who takes the responsibility of washing the body of a dead person ⁕

A male can wash a body of a male. Likewise, A female can wash a body of a female, - except in the case of husband and wife. They can wash one another's body. The same goes for a discerning youngster, male or female; they can wash each other's body. The same ruling applies to a mahram (One's immediate relatives - according to a certain classification detailed in Shari'a law), who can wash the body of his mahram .[from the opposite sex [if a mahram from the same sex was not available

?How is the corpse washed ⁕

.Three types of ghusl should be carried out -

.Once using lotus leaves (sidr) added to water .۱

.The second ghusl using water with camphor added to it .۲

.The third ghusl using pure water .۳

Provided ghusl be sequential], i.e. washing the head and neck first, then the right part] of the body, then

the left part. Furthermore, the water used should be tahir, not najis, ownerless (mubah), not maghsoub (usurped), free from impurities (mutlaq), not mixed; the lotus .leaves and camphor should also be ownerless

?Do you have to remove the clothes of the dead person while washing ⁕

.It can be washed with the clothes on; it might even be better -

How can you guarantee the purity of the water when you add lotus and camphor to ⁕ ?it

Care must be taken to add the quantity that would not turn it into a mixed type of - .water, i.e. without losing its properties as water free from impurities

The body of a dead person might become najis through contact with an external ⁕ ?source or from within the body during ghusl. What should one do

Removing the source of najasah and rendering the body tahir from it is obligatory. - .Renewing ghusl, however, is not mandatory

?What should be done after ghusl ⁕

.It is obligatory to embalm the corpse and shroud it -

?What does embalming involve ⁕

Wiping the seven points of the body that are usually placed on the floor during - prayer (mawadhi' as-sujoud) with pounded camphor that still has its smell. The camphor used should also be ownerless, not usurped, tahir, and not najis, [even though it will not necessary lead to rendering the dead body najis]. It is preferable .that the wiping is done with the palm of the hand, starting from the forehead

What about the order of the rest of the ⁕

?seven points

.No particular order is necessary –

?How should you go about shrouding the body ⁕

:It is obligatory that the dead body be shrouded with three pieces –

The loin cloth [that should cover the area of the body between the umbilicus and the .١ [knees

The shirt [which should cover the area of the body between the shoulders and the .٢ .[middle of legs

The covering cloth, that should cover the whole body [and should be long enough so .٣ .[that you can tie it at both ends

?And widthwise ⁕

.[It should be wide enough [to wrap the entire body and overlap –

?Are there any other conditions regarding these pieces of cloth that should be met ⁕

Yes, in total they should be sufficient to cover the entirety of the corpse. It should – not be maghsoub, not made of pure silk, [not gilded, and not made of furs of animals whose meat is not fit for human consumption], and not najis; in an emergency, however, apart from cloth that is maghsoub, shrouding with the rest becomes .permissible

?If, for any reason, shrouding with three pieces becomes impossible ⁕

.Shrouding the body with any piece available would suffice –

?Once ghusl, embalming, and shrouding is done, what next ⁕

Performing the special prayer for the dead is obligatory, even if the dead person is a – .child, who could not understand what prayer is, e.g. a six-year old

?How is prayer conducted ⁕

,Prayer for the soul of the dead is different from the daily prayer that is usually done –

both in form and content. It consists of five takbirat (the utterance of “Allahu Akbar”, Allah is Great); it involves no recitation from the Holy Qur’an, no bowing, no prostration, no tashahhud (the middle of a prayer, said sitting, where testament of the unity of God and the prophethood of Mohammad is uttered), and no tasleem (the concluding part, of a prayer, said sitting, where saluting the Prophet, oneself and the good servants of the Creator, and the two angels takes place). Basically, the person who leads the prayer and those taking part in it invoke mercy for the dead person after the first takbirah. As for the rest four takbirat, you could offer a number of supplications, praying for peace to be with the Prophet and his Pure Progeny, praying .for the well-being of the faithful, and praising God Almighty

?Could you give me a brief account of it *

After uttering the inaugural takbira, you should bear witness to the unity of Allah and - the prophethood of Mohammad. On reciting the second takbira, you may say, “Allahumma Salli Ala Mohammadin Wa Aali Mohammad”, meaning, May Allah’s peace be with Mohammad and his Pure Progeny. After the utterance of the third takbira, you may invoke forgiveness for the believers. After the fourth takbira, you may pray for mercy and forgiveness for the dead person. Upon uttering the fifth takbira, this .special prayer ends

Are there any other important matters one should take account of when performing * ?this special prayer

-

:Yes, the following are the salient points

There must be niyyah (intention - to designate the prayer one is performing, or any .۱ other act of worship, and that the sole purpose of the act is to seek nearness to Allah). .In this case, the name of the deceased must be specified

.Performing the prayer in a standing position so long as one possibly can .۲

The prayer must be performed after the dead body has been washed, embalmed, .۳ .and shrouded

.On performing the prayer, one should face the qibla, if one is free to do so .۴

.The dead body should be lying in front of the person who is conducting the prayer .۵

The head of the dead person should be on the right hand side of the person .۶ .conducting the prayer and his legs to his left

.The dead body should rest on its back .۷

There must be no barrier between the dead body and the person conducting the .۸ prayer, such as a screen or a wall. There is no harm, however, if the body is in a coffin, .or shielded by another dead body

There must not be a great distance between the station of the person conducting .۹ the prayer and the dead body; the same goes for the height, i.e. one must not be much higher than the other. However, there is no harm in separation, if the rows of .those saying the prayer were solid, or if there was one prayer for more than one soul

Permission must .۱۰

be obtained from the next of kin of the deceased to say the prayer.

١١. There should be no break between the takbirat, the supplications and remembrance.

* I have noticed that you did not mention that those who offer the prayer should be in wudhu, ghusl, or tayamum. Is there any reason for that?

– Tahara is not obligatory on the people who are conducting the prayer.

* After the prayer has been performed, what next?

– The corpse must be buried, provided that:

١. The burial be so secured that carnivorous animals, should they be present, would not encroach upon the sanctity of the body.

٢. The burial ensures no spread of bad smell, from the body, that might be a source of discomfort to other people.

Upon entombing the corpse, it should be placed on its right hand side, ensuring that the face should be set in the direction of the qibla.

* Are there any conditions that should be taken into consideration insofar as the place of burial is concerned?

– Yes,

١. The plot of land must be ownerless, not maghsoub; not reserved by way of endowment to any private quarter, such as schools and Hussainyyas. Due care should be accorded to the upkeep of the place or adjacent buildings, [even if it does not pose any damage or hindrance to the place].

٢. Extra care must be accorded to the sanctity of the corpse, in that, places, such as rubbish tips should be avoided as places for burial.

٣. The corpse of a Muslim must not

.be buried in the graveyards of the infidels

?And after burial ⁕

It has been related from the Messenger (s.a.w.) that, "Nothing more difficult shall - befall the dead than the first night. So have mercy over your dead by way of almsgiving. Should you not afford it, you may perform a two-raka'a (the bowing act) prayer for their souls. In the first raka'a, you may read after the Chapter of al-Fatiha, the verse of al-Kursi (The Throne). In the second, after al-Fatiha, you may recite the Chapter of al-Qadr ten times. On concluding the prayer, you may say, "Allahumma Salli Ala Mohammadin Wa Aal Mohammad", and, "Oh Allah, please accept this on .behalf of the dead person, i.e be naming them

In a previous dialogue, you mentioned a special ghusl you called, "ghusl of touching ⁕ ?a dead body". Could you tell me more about it

Yes, ghusl is obligatory on anyone who comes into contact with a dead body, which - has lost its heat and before it is washed, irrespective of whether it belongs to a Muslim .or an unbeliever

?Is ghusl called for, if the body is wet ⁕

Irrespective of whether it is wet or dry, and no matter whether touching the corpse - .is done at will or accidental

?What should the person who came into contact with a corpse do ⁕

:They should do the following -

.Perform ghusl before embarking on prayer, for example .۱

It is haraam for a person in a state of uncleanness to touch the writing of .۲

the Holy Qur’an, or do other things that are forbidden to a person in a state of .janabah

There are also other matters that follow on from a death of a person that you need to .know about

When a husband dies, his wife should observe a waiting period, irrespective of the - age of the wife, and whether or not the marriage was consummated. A non-pregnant wife should wait four months and ten days. If she is adult and sane, she should, during the waiting period, abandon wearing make-up, perfume, and glamorous clothes, for it is haraam. However, she has the right to bathing, putting on clean clothes, and going out, especially, if she has something to attend to or an act of worship to perform, and, .of course, in an emergency

?You mentioned a woman who is pregnant. Is this a special case ⁕

The ruling on a widowed pregnant woman is that she must observe a waiting period - for the rest of her pregnancy. If after she has given birth, the total period that has elapsed since her husband died was four months and ten days, her waiting period should end. If not, she should wait for the remaining period that completes the four .months and ten days

Dialogue on Wudhu

Today, I’ll talk to you about wudhu, ghusl and tayamum”, said my father. I murmured, “We are, therefore, at the threshold of the first purifying agent which renders the body tahir, after it has been stripped of its purity by an

occurance of some kind". I soon started recalling some examples of what happens to the body to render it unclean. I then started asking myself why I should cleanse my body with wudhu. However, since my father was present, I said I would rather ask .him

?Why do we perform wudhu ⁕

We perform wudhu to be in a state of tahara to, for example, say prayer, do tawaf - around the Ka'ba during hajj or umrah, touch the writing of the Holy Qur'an [and His .[names and attributes, such as ar-Rahman, al-Khaliq

Of course, wudhu is performed with water. However, are there any conditions ⁕ ?attached to the water

.Yes -

The water must be tahir to cleanse the parts of your body that are normally washed .۱ and wiped during wudhu. It is sufficient for the water to be abundant for it to render .(them tahir as a result of performing wudhu, if the water was abundant (mu'tasim

The water and the place where you perform the wudhu, must be ownerless and not .۲ .usurped

The reason why the place must be free is that if the water was confined to the usurped place, wudhu would not become obligatory. You must perform tayamum instead. However, should you choose not to comply, you shall be deemed sinful. Your .wudhu, though, will be in order

The water must be pure not mixed, such as the running tap water in our homes and .۳ .places of work, not, for example, orange juice

?How should I conduct wudhu ⁕

After you -

have made your intention, to perform this act of worship to seek proximity to Allah, :you should start thus

Wash your face from the forehead, i.e. from the hairline to the chin vertically and .۱ that which falls within the expanse of your hand between the thumb and the small finger horizontally. [Noting that, you should do the washing from the top to the bottom .[of the face, without the need to soak thick (beard) hair

Wash your arms from the elbow to the finger tips, starting with the right arm. The .۲ .manner of washing should be from the elbow down to the finger tips

Wipe with your right hand (while it is still wet) the front of your hair, preferably with .۳ .the palm of the hand, starting from the top to the hairline excluding the forehead

Wipe your feet with your hands from the toes to the ankle. Use your right hand to .۴ stroke the right foot and the left hand to stroke the left foot, while both hands are still wet with the original water of wudhu. That is, you are not allowed to use new water. .[[It is not allowed to start with your left foot before your right foot

:You must also observe the following when performing your wudhu

Wudhu must be sequential, i.e. washing of the face should come before that of the .۱ arms; your right arm has to be washed before the left one; and wiping the head should be done before that of the

.feet

The ablution act should be carried out uninterrupted. In an emergency, however, .۲ such as running out of water or due to forgetfulness, you should continue the process while the previous parts washed or wiped are still wet. Otherwise, the wudhu shall not be in order. It is worth mentioning, though, that wudhu can be deemed valid even though all the parts of the body, that were washed, become dry as a result of wind, hot weather, or drying up, provided that in the process of wudhu uninterrupted .washing was observed

.You must do it yourself as long as you are able to do so .۳

?What about if I become unable to perform wudhu myself ⁕

Someone else can do wudhu for you. It could be done by aiding you to do it. That is, - by lifting your hand and washing your face with it; then washing both your arms in the .same way; and finally, do the wiping of the head and the feet, using your own hands

There must not be any barrier masking the body skin from wudhu water, such as .۴ .paint, glue, or nail polish

There must be a reason that could make using water detrimental to one’s health. In .۵ .such a case, you should perform tayamum instead of wudhu

If I performed wudhu for an earlier prayer, can I still say another one later with the ⁕ ?same wudhu

.You do not need to renew your wudhu, unless your wudhu was invalidated -

How and when would a ⁕

?wudhu be invalidated

Things that invalidate wudhu are seven: Urination, passing stool, breaking wind, - sleep, anything that render the faculty of reasoning idle, such as passing out and .drunkenness, medium and minor istihadha (see Dialogue on Istihadha), and janabah

My father added that it was worth discussing some general rules to wrap up the topic .of wudhu

If after wudhu some doubt lingers in your mind as to whether or not your wudhu .١ .was in order, you should assume that it still be in order

?Could you give me an example ※

Suppose you performed wudhu in the morning and after few hours, you wanted to - say Dhuhr prayer. There and then, you harboured some doubt that you might have used the toilet in between. In this case, you should ignore your doubt and assume you .are still tahir and say your prayer

If you did not perform wudhu or did perform one, that was later rendered invalid, .٢ and afterwards became unsure whether you renewed your wudhu, you should treat .such case as if you did not perform wudhu

?Such as ※

Suppose you woke up in the morning. Then the time for Dhuhr prayer was due. You - could not remember whether you performed wudhu in between. You should treat the .matter as if you did not perform wudhu. You have to start afresh

If you have just completed wudhu, and doubt crept in as to whether it was properly .٣ .carried out, your wudhu is in order, i.e. you should not renew it

※

?For example

Suppose you performed wudhu and immediately became doubtful whether you – washed your face, or the washing of your face was properly carried out, you should .assume it was correct

If I became doubtful whether I carried out the wiping of the left foot, what should I ⁕ ?do

If the doubt crept up on the spot, you should perform the wiping afresh. Otherwise, – you need not worry. That is, if you have already moved on to another act, such as you .are in the process of saying prayer

Dialogue on Ghusl

I do not divulge a secret if I said that I love water. It is a subject close to my heart for it reminds me of happy memories. When I was a child, I used to play with my mother, spraying her with water. I did the same thing with my play mates. And since I know that water is a source for personal hygiene as well as for physical cleaning, this .particular dialogue earned added importance

My father said to me that ghusl is of two kinds: the first is by submerging the whole .body in water, and the second is done sequentially

?How do you go about the first type ⁕

It is done by submerging the whole body in water at one go, i.e. from the summit of – .the head to the tips of the toes

?And the sequential one ⁕

You should first wash your head, ears and neck. The second in the order of washing – must be the

right hand side including the part of the neck that is connected to it and the adjoining area of the left hand side. The third in the order of washing must be the left hand side, .in exactly the same manner

However, it is permissible to wash the whole of the body at one go, i.e. without .dividing it into two parts, after you have washed your head and neck

?Are there any conditions that should be observed when ghusl is carried out ⁕

All the conditions that are required for wudhu apply to ghusl, such as niyyah, the - cleanliness and abundance of water, the order of parts of the body to be washed, etc. .((please refer to Dialogue on Wudhu

.However, ghusl is different from wudhu in two ways

?What are they ⁕

:They are -

It is not necessary to start washing the parts of the body from top to bottom, as is .١ .the case in wudhu

In ghusl, you do not need to observe the unbroken chain of washing, i.e. from start .٢ to finish without stopping. For example, you may wash your head and neck, then the rest of your body after a while, so much so that this may result in the parts that were washed becoming dry. You cannot do this when performing wudhu. There is an added .bonus for ghusl of janabah, in that it makes up for wudhu

?And what else can it compensate for ⁕

It can also make up for ghusl of Juma. That is you either -

make one niyyah, exclusive for ghusl of janabah, or you make niyyah for both. [Indeed, as far as ghusl of Juma is concerned, you should make niyyah for it, albeit in general terms, as no other ghusl can make up for it].

* Should a woman require to perform the three types of ghusl: Janabah, haydh, and Juma, how should she go about them?

- She can do one ghusl with the niyyah of all of them. She may, however, make niyyah for ghusl of janabah which would suffice, [except for ghusl of Juma as discussed earlier].

However, here are some more tips:

۱. Make sure you have removed every trace of semen from your body before you embark on performing ghusl.

۲. You should urinate to extract any traces that were left inside the tract of the penis before you do the ghusl.

۳. You should remove all barriers, sticking to the body, that may hinder the immediate contact of water with the parts of the body, such as paint or glue. If the barriers prove difficult to remove, you should perform tayamum. And if they happen to be present in the parts of the body that you usually wash (or wipe) for wudhu, [you should carry out both the ghusl and tayamum].

۴. If, after washing any part of your body, you become doubtful as to whether you washed it, you need not worry, i.e. there shall be no need for you to start afresh.

However, if, while you were washing the rest of your body,

you grew doubtful whether you washed your head and neck properly, [you have to .[start again by washing the suspected unwashed part

You talked to me about quite a number of ghusls - haydh, nifas, istihadha, the dead, * and touching a dead body. These are all compulsory types of ghusl. In the course of this discussion, you also mentioned another ghusl, i.e. that of Juma. Are there any ?other kinds of ghusl

Yes, there are other ghusls. They are, however, mustahab not wajib. Here are some - :of them

a. Ghusl of Juma. It is a strongly recommended mustahab type of ghusl. Its span of .time starts from sunrise till sunset. It is advisable, though, to do it before zawal

.b. Ghusl of Ihraam

c. Ghusl of the first two days of the two big feasts (eids). The time during which these ghusls should be done is from sunrise till sunset. Yet, it is advisable that they are done .before the prayer of Eid

d. Ghusl of the eighth and ninth of Thil Hajja. It is advisable that the ghusl on the ninth .should be carried out at zawal time

e. Ghusl recommended during the month of Ramadhan nights: The first, the .seventeenth, the nineteenth, the twenty first, and the twenty third

f. Ghusl of Istikhara (The process of asking Allah for proper guidance in certain matters you are unable to decide on, through, for example, consulting the verses of .(the Holy Qur'an

.('g. Ghusl of the prayer for rainfall (Istisqa

.h. Ghusl of entering Mekkah

i. Ghusl of paying

.respect to the Holy Ka’ba

.j. Ghusl of entering the Mosque of the Prophet

If carried out, these kinds of ghusl can make up for wudhu. There are more. Some of these ghusls can compensate for wudhu, and some cannot. The yardstick of which ghusls can make up for wudhu and which cannot lies in the fact that since the first group of ghusls have strongly been recommended, through evidence handed down by tradition, they became mustahab. The second group of ghusls contains those ones that are not unequivocally proven to be strongly recommended to be part of the tradition, and they are carried out only with the aim of doing good deeds and earning .(reward (thawab

My last question on the subject of ghusl is: Suppose, after janabah, I did not urinate * to clear my penis from the remnants of semen, then I did ghusl of janabah. Afterwards, I noticed traces of semen that were secreted. Would the ghusl still be ?valid

No, you must do the ghusl again. This is irrespective of whether the semen was – .discharged without sexual desire or caressing

You must also do the ghusl again, even if the semen was discharged in a situation .different from the one just described

Dialogue on Tayamum

When my father said he would talk today about tayamum, the word rang a bell, which is no wonder, for I have come across it when I recite the Holy Qur’an, or listen to it recited. I have been brought up to recite and learn as

much of the Qur'an as possible. It has become a daily routine. When I do so, I feel .peace of mind, serene heart, and refreshed memory

Reciting the Holy Qur'an is not an end in itself. But a means to understanding the Creator's injunctions. It should be a way of refining one's character, learning how to conduct oneself within the family and in society at large. Reciting the Holy Book should .be a source of knowledge and a means to becoming firm in belief

Despite the discovery of the familiarity of the word of tayamum, I remembered neither the verse it was in nor the name of the chapter. So, the first thing I did was to .ask my father about the verse

* Father, I can't remember the name of the Chapter in which the verse of tayamum is ?mentioned. Could you remind me of it

- ,The Chapter is that of Nisa

and if you were sick, or on a journey, or one of you passed stool, or you have..“ touched (had a sexual intercourse with) women, and you cannot find water, betake yourselves to pure earth, then wipe your faces and your hands; surely Allah is .(Pardoning, Forgiving” . (۴/۴۳

As you may have noticed the verse outlined when, with what, and how we perform .tayamum. Let's then discuss them one by one

* ?So, when do we perform tayamum

- :We do tayamum instead of ghusl or wudhu in certain situations, some of which are

۱. When there is not sufficient water for either

.ghusl or wudhu

When there is sufficient water, but there may be a barrier to fetching, or using it, .٢ such as you may have a disability, or your using the water could entail a sinful act – using a maghsoub utensil for example – or you may fear for your safety, honour, or .possessions

When there may be a possibility that using water for ghusl or wudhu might deplete .٣ your supply of water, so much so that there may not be sufficient quantity of water to quench one's thirst, including members of your family, relatives, and even one's .livestock

When there is not ample time to conduct ghusl and say an obligatory prayer in full .۴ .and on time

.When obtaining water could lead to putting oneself in an untenable situation .۵

When water has changed in both colour and property to the extent that you find .۶ .yourself in real in a state of revulsion when using it

When your responsibility is to use the limited quantity of water to remove the .٧ .najasah from the mosque

When you fear you become sick as a result of using water for ghusl or wudhu, or .٨ using water could complicate your ill health. However, this should be the case when the matter does not come under the subject of wiping (mas'h) over a jabirah (lit. splint: a generic name used for any form of dressing any part of the body after injury or illness), especially when there is a risk of worsening the state of

the injury or ailment if the dressing is removed, and the part of the body is not among .that which is covered by the ruling concerning the wiping on jabirah

* ?And what is jabirah

- .We'll discuss it in detail in our forthcoming dialogue

* ?Now, I know when I should do tayamum. But with what should I perform it

- You can use earth dust, sand, shingle, stone, or anything of that sort, provided that .(each one of these should be tahir, [clean], and not usurped (maghsoub

* ?How should I go about tayamum

- .I'll show you how it is done

As he was talking he started by taking off his ring. He then hit the bare earth with [both] the palms of his hands once. With both the palms of his hands, he wiped his forehead, between the hair line, and the top of the nose including the eyebrows. When he reached the top of his nose, he stopped, and removed his hands. Then he wiped the back of his right hand with the palm of his left hand from the forearm to the fingertips. He did the same thing to wipe the back of his left hand, using the palm of .his right hand

* !Isn't it quick and easy

- ,Yes, it is not only taymum that is so easy. Allah, the Exalted says in the Holy Qur'an

"..Allah desires ease for you, and He does not desire for you difficulty.." (۲/۱۸۵)

* ?Are there any conditions that should be observed when performing tayamum

-

:Yes

You must have a valid reason for not using water for ghusl and/or wudhu, as has .۱ .been explained earlier on

.You must make niyyah, seeking closeness to Allah .۲

That which is used for taymum must be tahir, [clean], not usurped, and not mixed .۳ .with other substances, such as ash, unless the mixture was greatly diluted

That which is used for taymum must leave traces in your hands. Thus, it is not] .۴ .[permissible to use smooth stone with no dust covering it

.[Wiping of the forehead should be done from top to bottom] .۵

You must not do taymum unless you have exhausted every possible alternative .۶ before the time of prayer or any other act of worship that has a prescribed time for .performing it

.You must do taymum yourself so long as you can do it .۷

The whole process of taymum should be carried out without breaking the sequence .۸ .of wiping

There must not be any barrier between the part of the body that is being wiped and .۹ .that part of it that is doing the wiping

You must wipe your forehead before your right hand and your right hand before .۱۰ .your left hand

Since I had a good reason for not using water for ghusl or wudhu because of my ill ❊ health, I performed taymum and said prayer. I then consulted the doctor who directed that I could use water. It so happened that there was still time to say the .prayer again, after I do ghusl or wudhu

?What should I do

You need not repeat your prayer, as you had a good reason not to use water there – .and then, and the fact that you had exhausted all possible avenues during the time

If I did tayamum and said prayer, then another became due, and the reason for not ⁕ ?using water for wudhu was still valid, should I do another tayamum

No, there will be no need for a fresh tayamum so long as the reason for not using – .water was still valid

If I performed tayamum instead of ghusl of janabah, do I have to do wudhu for ⁕ ?prayer

.No, tayamum makes up for both the ghusl and wudhu –

If I performed tayamum, then I used the toilet or had a nap, should I do tayamum ⁕ ?again for wudhu or ghusl

.Do wudhu if you can. Otherwise, do tayamum instead of ghusl –

While I was wiping the back of my left hand, I doubted whether I wiped my forehead ⁕ ?or my right hand. What should I do

.Do not pay attention to such a doubt –

Should I become unsure whether I have finished tayamum, do I have to ignore it ⁕ ?too

.Yes, you need not worry –

Dialogue on Jabirah

.Yesterday, you mentioned 'jabirah', but postponed talking about it till today

Yes, if you use any form of dressing on a wound, ulcer, or fracture in any part of your – .”body, it is called “jabirah

How should I go about ghusl, wudhu, or tayamum if there was a ※

p: ٨١

?jabirah on any part of my body

If the jabirah was of the type that could be removed without any harm befalling you, - you may do so; that is, you can wash and/or wipe that part of your body as the case .may be

?And if the jabirah cannot be removed for fear of harm or difficulty *

In such a case, you may wash the area of the particular part close to the place of - jabirah, and wipe over the jabirah. wiping not washing should be applied to the affected area covered by the jabirah, if it was of that which requires washing in the first place. As for the affected part of the body that requires wiping to start with, it :goes without saying. You must, however, take note of the following

The outer part of jabirah must be tahir. You need not worry if the inner part of .١ .jabirah, that is close to the body, was najis

.[The jabirah itself must not be usurped] .٢

The size of jabirah must be confined to that which is generally accepted as .٣ .commensurate to the size of wound or injury

?And if it was larger *

You can lift the extra part of jabirah and wash the part of the body under it, or wipe it - .as the case may be

Should there be a strong reason not to lift the extra part of jabirah for fear of * ?causing complications to the actual injury, what should I do

,You should not remove it -

.and wipe the jabirah itself

What about if lifting the extra part of jabirah proves difficult or may cause harm to ❊ ?the sound part of the body, not the injured one

You may perform tayamum instead of wudhu, should the jabirah not be present in – .[the parts of the body tayamum is applied to, [otherwise, you must do both

Suppose the jabirah cover the whole of my face or the entirety of one of my hands ❊ ?or feet, how should I go about wudhu

.You can do wudhu by wiping over the jabirah –

?And if all or most of the parts are covered by the jabirah ❊

.[You should do both the wudhu with stroking the jabirah and tayamum] –

If I had an open cut or an ulcer, and the doctor advised me not to expose it to water, ❊ ?how should I do wudhu

.You can wash the adjacent area to the place of the cut or ulcer only –

Suppose I had a fracture in my face or hand that could adversely be affected if it ❊ ?were exposed to water. What should I do

.You may forsake wudhu for tayamum –

If the open cut, that should not be exposed to water, was in a part of the body that is ❊ ?originally covered by wiping not washing, how should I go about stroking for wudhu

.You could do tayamum instead –

If I choose to do ghusl and I happened to have an open cut or ulcer in my body, how ❊ should I

?go about it

You could leave the affected area out. Washing the area adjacent to the affected – .one would suffice. Conversely, you have the choice of performing tayamum instead

* ?And if I have an open fracture, how should I go about ghusl

– .You can do tayamum instead

(Dialogue on prayer (۱

We have reached the topic of prayer. It has been related from the Prophet (s.a.w.), "Prayer is the buttress of religion. If it is accepted, by Allah, the Most High, every other good deed by the faithful is accepted. And if it is rejected, every other good deed is .″rejected

Prayer is an audience with the Creator, convened at prescribed daily times. Allah has outlined the times at which prayers are said and the manner which they must be conducted. During this audience you be fully absorbed in the experience. You talk to Him and invoke His Mercy. You come out of this encounter with clear conscience and serene heart. It is quite natural that you may feel the presence of Allah while you say .your prayer

It is no wonder that Imam Ali (a.s.) used to remove the arrows embedded in his body in battle while fully engrossed in the spirit of worship, for it used to help him take his .mind away from pain

When Imam, Zainul Aabideen (a.s.) used to do wudhu his face would turn pale. And when members of his family asked why he looked so haggard, his reply was, "Don't you know in whose presence I am going to

be?". When he started prayer, it sent shivers down his spine. And when asked why he was shivering, he replied, "I want to have audience with my Lord and implore Him. ."That is why I tremble

The story of Imam al-Kadhim's (a.s.) worship is a model for all devout Muslims. When the Caliph Harun ar-Rashid ordered him to be imprisoned in his dungeons, the Imam passed most of his time in worship, giving thanks to Allah for answering his prayer and .availing himself of that golden opportunity

Above all, payer is a manifestation of inner feeling that we all belong to Allah, the Most High, who has overall control over everything. And when you utter the phrase, "Allahu Akbar" at the start of every prayer, all material things should become insignificant because you are in the presence of the Lord of the universe who controls every aspect of it. He is greater than everything. As you recite the Chapter of "al-Fatiha", you say, "You do we worship, and You do we ask for help". Thus, you rid yourself of .dependency on any mortal

With that exquisite feeling of submission to Him, you enrich your spirit five times a .day. And if you want more spiritual upliftment, you may perform mustahab prayer

* ?Does this mean there are two types of prayer - i.e. wajib and mustahab

- .Yes, that is true

* I know the wajib prayers. They are the ones we say five times a day - subh, dhuhr, .asr, maghrib, and isha

- No, those

:are not the only wajib prayers. There are more

Prayer for ayaat (signs, or natural occurrences). (Please refer to the Second .١ .(Dialogue on Prayer

Tawaf payer that pilgrims say during umra and hajj. (Please refer to the Dialogue on .٢ (Hajj

Prayer for the souls of the dead. (Please refer to the Dialogue on Death Related .٣ .(Matters

Any compulsory prayer not said by the father who had passed away. [It is .۴ incumbent on his eldest son to say it on his behalf]. (Please refer to the Second .(Dialogue on Prayer

Any prayer that becomes compulsory because of hire (ijarah), oath, votive offering, .۵ .or any other reason

:However, the five daily prayers should have the following

.a. The time of prayer

.b. The Qiblah

.c. The Place where prayer is said

.d. The clothes of the person saying the prayer

.e. The taharah necessary to saying prayer

It should be noted, though, that these five prerequisites should be present in other types of prayer, except for the time of prayer, as will be explained in detail later on, .inshallah

.Now, I am going to discuss each of these points in detail

.So, you'll start with the time of prayer *

:Yes –

For each of the five prayers there is an appointed time that must not be taken . ١
lightly. The time for Subh prayer is from the start of dawn till sunrise. The time for Dhuhr and Asr prayers is from zawal to sunset. The first portion is confined to Dhuhr prayer and the second to Asr prayer in as

.long as each of which takes

?How would I know the time of zawal ⁕

.It is the midway between sunrise and sunset –

The time of Maghrib and Isha starts from sunset and lasts till midnight. The first part . is confined to Maghrib and the latter part to Isha in as long as each of which takes

You should not start Maghrib prayer until the dusk, appearing in the East, disappears] .[from the sky

?Could you explain what Eastern dusk is ⁕

It is a reddish colour that appears in the East, opposite the direction of sunset, that – .disappears once the whole disc of the sun descends below the horizon

?How can I determine midnight that heralds the end of time for Isha prayer ⁕

.It is the mid-point between sunset and dawn –

Suppose, come midnight and I had deliberately not said Maghrib and Isha, what ⁕ ?should I do

You have to hasten to offer it before the onset of dawn with the niyyah of alqurbal – mutlaqah (The intention must be made with a view to seeking closeness to Allah, i.e. .(”’without stating whether it is being said on time “ada’” or in lieu “qadha

When saying any prayer, it is important to observe the appointed time of each prayer .before you set out to say it

The Qiblah: You ought to set your face towards the qiblah, which is the place where .٢ .the Holy Qa’ba, in Mekkah, is situated

Should I fail to determine the direction of the qiblah, after exhausting all means, ⁕ what

?should I do

.Set your face towards the direction you feel the qiblah could be in –

?If I was still undecided as to where would the qiblah be ⁕

Say your prayer, facing any direction you think the qiblah is in, on the basis of – . probability

Suppose I said prayer, facing a direction I thought was, approximately, the right ⁕ ?one, then I found out I was wrong, what would happen

If the deviation from the direction of the qiblah is less than ۴۵ degrees to right or left, your prayer is in order. If, however, the degree of tilt was greater than that, or you said your prayer facing the opposite direction, and there was still time to repeat the prayer, you should do so. Should the time of prayer elapse, you need not repeat the .prayer

The place where prayer is said, [Be aware that the place where you say prayer .۳ should be ownerless, i.e. not usurped, because prayer shall not be in order in a place .[that is maghsoub

Among what is considered maghsoub are possessions, such as property and furniture, that although taxable, yet khums tax on them was withheld. I shall discuss in some detail matters pertaining to khums in another session. I just want to remind .you against complacency and indifference when it comes to paying religious dues

?And if the property or land was not maghsoub but the prayer mat, for instance, was ⁕

.[Likewise, [performing prayer on such a mat would render prayer invalid –

The spot

.where you do prostration must be tahir not najis

?Is the spot of prostration where you place your forehead *

.Precisely, such as the clay tablet (turba) and similar objects -

?.What about the rest of the place, that is where you stand or sit, etc *

Taharah is not a prerequisite, provided that the source of najasah, if present, is not - .wet

:However, there are few more points concerning the place where you say your prayer

a. It is not permissible, during prayer and otherwise, to turn your back on the graves .of the Infallibles (a.s.), especially when the act entails insularity

b. [Both the prayers of a man and a woman would not be in order, if they were very close to one another and standing side by side, or the woman was slightly ahead]; the distance between the two positions where they say prayer should not be less than ten .yards, if there is no barrier, such as a wall, separating the two

c. Prayer is mustahab at mosques, and the most honoured ones are the Grand Holy Mosque at Mekkah, and the mosque of the Prophet (s.a.w.) at Medinah. Prayer is also .(.recommended at the holy shrines of the Infallibles (a.s

d. It is strongly recommended that women choose the most secure (sitr) place, even .within the boundaries of their own home

:There are certain conditions that should be met when putting clothes on for prayer .۵

a. The clothes must be tahir and [not maghsoub]. However, what is worn during prayer should have been

acquired lawfully. This, though, only applies to that which covers the private parts. Also, we should take into consideration that there is a difference between what is acceptable for a man to cover himself with and a woman. For example, in a man's case, garments, such as a pair of knee-length shorts, would suffice. Whereas for a woman, wearing such a garment would not do, for she is required to cover her body .during prayer

b. It should not be a part of an animal, such as the skin of an unslaughtered animal .[even if it is not sufficient by itself to cover one's private parts

Would prayer be valid if the person who said it was wearing a leather belt, bought * from a Muslim dealer or made in an Islamic country, albeit there was no information ?about the slaughtering of the animal from whose hide the belt was made

.Yes, the prayer is in order -

What about a leather belt acquired from non-Muslims or made in non-Muslim * ?countries

The prayer shall be in order, [unless you knew that the hide used was that of an - .[unslaughtered animal

If I was not sure as to the nature of the material of the belt, whether real or * ?synthetic

.Generally speaking, prayer can be said with such a belt on -

c. Products made from carnivorous animals are not allowed to be worn during prayer, even if they were of these which could cover the private parts. [And other products made from animals, whose meat

.[is not permissible to consume

d. Pure silk garments must not be worn by men during prayer. As for women, wearing .silk clothes is allowed

e. Pure, or adulterated, gold jewellery is not allowed for men. However, there is no .harm in wearing fake jewellery

* ?Even if it was a wedding ring

- Yes, the prayer will not be in order with such a ring worn. Not only this, it is forbidden .for men to wear gold at all time

* ?What about gold caps on teeth and gold pocket watches

- .These are permissible and the prayer said with these things on is in order

* Suppose I did not know that my ring was made of gold, or I knew but forgot to take ?it off before I said prayer. Would my prayer still be valid

- .Yes, the prayer is in order

* ?And women

- .They are allowed to wear gold at all time, including prayer time

I still have two more things on the clothes worn during prayer. It is obligatory to cover .the private parts, i.e. the penis, testicles, and posterior

Women have to cover their entire body including hair, but excluding the face, hands - to the wrists, and feet - to the ankles during prayer. They should do this even when .they are alone

These are the preliminary steps of prayer. Prayer itself comprises a number of parts and duties. They are, niyyah, takbiratul ihram, standing, recitation of some chapters of the Holy Qur'an, dhikr (remembrance), ruku', sujood (prostration), tashahhud, tasleem. The order, as

well as continuance, of all these series of acts and utterances should be paramount, .as you shall find out later on

Why didn't you start with adhan and iqamah (a shortened form of adhan, heralding ⁕ ?(the inauguration of prayer

Before I answer your question, I should say that some of these acts and utterances – are called the fundamental parts; they are niyyah, takbiratul ihram, iqamah, ruku' and sujood. Thus, they are set aside from the other parts of prayer in that if any of these five fundamental parts is not properly executed or missed out either deliberately or .inadvertently, the prayer is rendered invalid

And now to answer your question, I have this to say: Reciting adhan and iqamah in daily prayers is a strongly mustahab act. So, you shall be rewarded if you stick to .reciting them prior to your daily prayer

?What should I say for adhan ⁕

:You can say the following –

:Allahu Akbar (God is Great) – four times and each of the following phrases twice

.(Ashhadu Alla Illaha Illal Lah (I bear witness that there is no god but Allah

Ashhadu Anna Mohammadar Rasoulul Lah (I bear witness that Mohammad is the .(Messenger of Allah

(Hayya Alas Salah (Hasten to prayer

(Hayya Alal Falah (Hasten to success

(Hayya Ala Khairil Amal (Hasten to the best of good deeds

Allahu Akar

(La Illaha Illal Lah (There is no god but Allah

?And Iqamah ❊

:You should say each of the following phrases twice –

Allahu Akbar

Ashhadu Alla Illaha Illal Lah

Ashhadu Anna Mohammadar Rasoulul Lah

Hayya Alas Salah

Hayya Alal Falah

Hayya

Ala Khairil Amal

Qad Qametis Salah (prayer is being offered)

Allahu Akbar

And

La Illaha Illal Lah (once)

⁕ What about bearing witness to the vicegerency of Imam Ali (a.s.)?

– It is mustahab, i.e. it is not an integral part of either adhan or iqamah.

⁕ So, the first part of prayer is niyyah.

– Yes.

⁕ What is niyyah?

– It is your intention to offer prayer, that is you seek to be close to Allah and gain His favour and reward by way of submission.

⁕ Could you explain to me what you mean by submission?

– It is the inner spiritual feeling that goes hand in hand with all kinds of acts of worship; this can be summed up as feeling of humility before the Creator.

⁕ Is there a particular utterance?

– No, it is a mindset. That is why it does not have a particular utterance; its seat is the heart. If, however, you do not set your mind to performing prayer seeking nearness and submission to Allah in those utterances and movements, your prayer shall be rendered null and void (batil).

The second fundamental part of prayer is takbiratul Ihram.

⁕ What is takberatul Ihram?

In a still standing posture, facing the qiblah, you say: Allahu Akbar. You should say it - in Arabic, stressing the sound of (hamza) in the word (´Akbar). You should also clearly utter the rest of the letters of this word and the others. It is preferable, though, to pause between takbiratul Ihram and the start of the recitation of the Chapter of Al-Fatiha (Suratul

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.(Fatiha

You said I must say takiratul ihram while standing. How should I go about saying ⁕ ?prayer, if I was unable to stand unaided due to illness, for example

You can say your prayer in a sitting position; if not, you can say it lying on your right - or left hand side, with your face towards the qiblah. [Whenever possible, lying on the .[right hand side must be given precedence over the left hand side

?If I was not in a position to do either ⁕

.You could offer prayer while lying on your back with your legs pointing to the qiblah -

.Suppose I could only manage takbiratul ihram in a standing position ⁕

Yes, you could utter the phrase of takiratul ihram from a standing position and - .perform the rest of your prayer from a sitting one in any way possible

.The third fundamental part of prayer is the recitation

After takbiratul ihram, you recite Surat (Chapter) of al-Fatiha [and another full chapter after it]. The recitation must be carried out correctly. You must also not forget to recite the Basmalah (an acronym for Bismillahir Rahman ar Rahim: In the Name of Allah, the Compassionate, the Merciful) at the beginning of every chapter, except for .Chapter of Tawbah

?If I have not sufficient time to recite the second chapter ⁕

You could leave it out. You could do so, should you be ill and cannot recite the second - chapter. The same goes for situations of fearfulness or when you are in a

.hurry

?In what manner should I recite the two chapters *

Men have to recite them in such a manner that recitation is audible during Subh,] - Maghrib and Isha prayers. As for reciting the two chapters during Dhuhr and Asr, .[these should be done in an inaudible voice

?What about women *

They are not required to recite the two chapters audibly. [They should, though, - .[adhere to reciting inaudibly during Dhur and Asr prayers

Suppose I was ignorant of the rule on reciting audibly or inaudibly, or I made a * ?mistake in the manner of reciting, i.e. I got mixed up, would my prayer still be valid

.You need not worry; your prayer should be in order -

Now I know what I should recite during the first and second raka'. What should I * ?'read during the third and fourth raka

You have the choice of either reciting the Chapter of al-Fatiha only, or utter the - tasbihat (or dhikr) [inaudibly in both the cases] except the Basmalah where you can .recite it in an audible voice

?If I choose to read the tasbihat, what should I say *

It suffices to say, in a lowered voice, "Subhanallah, wal Hamdu Lillah, wala Illaha Illal - Lah, Wallahu Akbar": Glory be God, and Praise be to God; there is no god but God; God is the Greatest. These phrases could be said either once or three times, whichever .you prefer

?Are there any other requirements for the recitation *

Yes, you must observe the correct pronunciation of -

the Arabic words, both individually and within the context of other words; when you stop on a word, you must always pronounce it with an ending tone (sukoon), i.e. you should ignore the accent on the last letter, be it fatha, kasrah, dhamma, etc. Conversely, you must pronounce the words with their full harakat (diacritical marks, such as shaddah, maddah, tanween, hamzatul wasl or hamzatul qat', appearing above the characters or below them that denote and aid the proper pronunciation of the words, both independently and in relation to other words in the sentence), usually .found in the print of the Holy Qur'an

In a word, you should master the rules of correct recitation, in the same way, you are required to do when reciting the verses of the Holy Qur'an, such as idgham (amalgamation or doubling of certain letters - after noon sakinah), qalqalah (resonating the sound of such letters as, qaf, taa', baa', jeem, daal, especially when you are stopping on them). Some of these can be found at the end of the words of .((Ahad, Assamad, Yelid, Youled in Chapter of al-Ikhlas

* ?'Could you give me an example of hamzatul wasl and hamzatul qat

Words in Chapter al-Fatiha, such as (Allah, Arrahman, Ihdina) start with hamzatul - wasl which is not accentuated when these words are used in a context of the sentence, i.e. the way they are pronounced is determined by the pronunciation of words immediately before them. Thus, they are more or less silent. As for hamzatul

qat', it is the one that should be pronounced very clearly. The way this type of hamza is pronounced is not determined by its proximity to other words. Examples of such a .hamza are found in the words of (Iyyaka and An'amta) in the same Chapter

And if I may add, to ensure that your recitation and other utterances during prayer are perfect, you should seek the help of those who have mastered prayer to enlighten you. This may sound somewhat stringent; yet you must endeavour to acquire the .ability to guarantee that your prayer is correct

.(The fourth fundamental is qiyaam (standing upright

Although this is self-explanatory, yet it is the only part or unit of prayer that carries a double message. It could be a rukn as in the case of uttering takbiratul ihram and the qiyaam immediately before ruku. Thus, it qualifies for the characteristics of and is governed by the rules of any other rukn. Or it could be a compulsory act (wajibat), not a rukn, such as the standing while reciting the two chapters or tasbihat, or standing up .from a bowing position. Rules of wajibat should, therefore, apply

.The fifth fundamental is ruku

* ?How should I do ruku

You bend your body, placing the palms of your hands on your knees, and saying - (Subhana Rabiyal Adheemi wa Bihamdih: Glory and praise be to my Lord) once, or you say either (Subhanal Lah: Glory be to God), or (Allahu Akbar: God is Great), or (Alhamdu Lillah: Praise be

.to God) three times each

You should then stand upright, saying as you do the movement (Sami'llahu Limen Hamidah: May God accept the words of those who praise Him), after which you .prostrate

.The sixth fundamental is sujood

.You must do two prostrations (sujoods) in each ruku

?How should I do sujood ❊

Put your forehead, the palms of the hands, the knees and toes on the floor, forming - an angle out of the torso and thighs. It should be noted, though, that you must place your forehead on the earth or what is grown in it, except that which is edible or can be .worn

Could you give me an example of what cannot be used for sujood because it is of ❊ ?that which could be consumed or worn

.Vegetables and fruits cannot be used for sujood, nor can cotton and flax -

?So, what are the other things that are permissible to use for sujood ❊

You may use earth, sand, stone, shingle, wood, or inedible leaves. You may choose - .to do prostration on paper made of pulp, cotton, flax, or chaff

You should not use grains such as wheat and barley for sujood, nor wool, tar, glass, and crystal. The best object you can perform sujood on is the earth taken from land of .Karbala, Iraq where Imam Hussain (a.s.) is buried

Suppose I was unable to conduct sujood on any permissible object or matter ❊ ?because it was either unavailable or out of fear for myself

In the event of non-availability of any of -

the permissible things for sujood, you may use tar or bitumen. If not, you may prostrate on anything you deem possible, such as the garment you are wearing or your hand. If your well-being was threatened, you may act according to that which .would be conducive to preserving yourself

Moreover, do not forget to observe the requirement of symmetry and level of the places where you rest your forehead, your knees, and the toes of both feet, i.e. none should be higher than the other by the depth of a fist, i.e. with four folded fingers .[(about ten cm.). [Nor should the level of the spots where you stand and prostrate be

❊ ?Having taken this posture, what should I do next

You should say (Subhana Rabiyal Al 'Ala wa Bihamdih: Glory and Praise be to my - Lord, the Most High) once, or (Subhanal Allah), or (Allahu Akbar), or (Alhamdu Lillah) three times. Then, lift your forehead and sit down still and composed, putting the legs under the buttocks, crossing the right foot over the left one, and saying (Allahu Akbar). .You should do the second sujood in exactly the same way you did the first

❊ If I was unable to bend for sujood properly due to sickness, for example, what ?should I do

Try to bow as far as you can, placing the object of sujood on a raised place, provided - that you position all other parts of your body during the posture of sujood on their .respective spots

❊ And if

?I was not able to do so

You may nod with your head to the place of sujood. Should you not be able to do so, - you may use your eyes as a substitute; close them to denote performing sujood and .open them to express the lifting of the forehead from the place of sujood

.The seventh fundamental part of prayer is tashahhud

Tashahhud is compulsory to say after the second sujood of the second ruku of every prayer and after the last ruku of maghrib, dhuhr, asr and Isha prayers

?How should I go about uttering it *

Say (Ashhadu Alla Illaha Illal Lah, Wahdahu La Sharika Lah, Wa Ashhadu Anna - Mohammadan Abduhu Wa Rasuluh. Allahumma Salli Ala Mohammadiw Aali Mohammad: I bear witness that there is no god but God, and that Mohammad is His servant and messenger; May peace be with Mohammad and his Pure Progeny). It is .noteworthy, however, that you sit still and that your reading should be continuous

.The eighth fundamental is tasleem

Saying tasleem is mandatory in the last ruku of every prayer. It is said immediately .after tashahhud, while you are still in your sitting position

?What should I say *

The bare minimum is to say (Assalamu Alaikum: May peace be with you). It is highly - recommended, though, that you add (Wa Rahmatul Lahi wa Barakatuh: and God's mercy and blessings), (Assalmu Alaika Ayyuhan Nabiyu wa Rahmatul Lahi wa Barakatuh: May peace, mercy of the Almighty and His blessings be with you, Oh Prophet), and (Assalamu Alaina

wa Ala Ibadil Lahis Saliheen: May peace be with us and the good among Allah's servants. Assalamu Alaikum wa Rahmatul Lahi wa Barakatuh:May peace, mercy, and .(blessings of the Almighty be with you

Is there any reason why you did not mention qunoot (the raising of both hands for ❊ ?(supplication in prayer

Qunoot is mustahab once in every prescribed prayer and other voluntary ones – [except Shefa' prayer]. If you wish, you can say it, with your both hands raised in supplication, after you have finished reciting the second surah of the second ruku, i.e. .immediately before bowing

?Is there any particular supplication I can say in qunoot ❊

No, there is not. However, you could recite a verse from the Holy Qur'an, invoking – .your Lord; you may ask Him for anything

Now that you have explained to me how to say prayer, I would like to ask you if ❊ ?there are any actions or otherwise that invalidate prayer

:Yes, there are –

When prayer is stripped of any of its fundamental units, such as niyyah, takbiratul .١ .ihram, ruku, and sujood, it can no longer be valid

Whatever spoils ablution, such as breaking wind, is bound to nullify prayer, [even if it .٢ .[happens, unintentionally or out of necessity, after the last sujood

.The head or the torso should not be turned away fully from the qiblah .٣

And if the turn is slight so much so that it would not spoil the actual facing of the ❊ ?qiblah

,This does not invalidate prayer –

.although it is maqrouh

.Deliberate laughing nullifies prayer .۴

Deliberate weeping or crying for worldly matters invalidates prayer]. Weeping for] .۵ .any matter relating to the Hereafter is in order

Intentional speech, albeit pronouncing a single letter, other than utterances . ۶ pertaining to prayer itself, renders prayer invalid. The only exception here is the .response to a salutation, which is compulsory, by repeating that salutation

Doing anything that spoils the movements or utterances of prayer, such as rocking .۷ .or swaying, invalidates prayer

Eating or drinking during prayer is not allowed, even if this does not spoil the acts .۸ .and utterances of prayer

Deliberate crossing of one's hands, over the abdomen, while standing in prayer, in] .۹ situations other than taqiyyah (dissimulation about one's religious beliefs in order to .[(protect oneself, family or property from harm

Deliberate utterance of the word "Amen", after the imam has finished reciting "Al- .۱۰ Fatiha" [or the person who is praying alone says it after he has recited it], if there was .no case for taqiyyah

I should also, explain to you another important aspect concerning prayer, i.e. doubt .about the proper execution of its acts and/or utterances

?Does doubt render prayer invalid *

It is not always the case. Some doubts do invalidate prayer. Others can be rectified - .and the third category can be ignored

However, I should outline to you general principles you may observe, should you .harbour any doubt about the proper execution of prayer

١. Whenever you suspect the validity of any prayer after you have finished it, you need

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.not worry; the prayer shall be in order

* ?Could you give me an example

- Suppose, you have just finished performing subh prayer. Immediately afterwards, you became suspicious whether you have done two ruku or more. In such a case, you .should deem the prayer valid

۲. Whoever doubted the validity of any part of the prayer after he had finished it, they .should deem that part valid and the whole prayer too

* ?For example

- If you grew doubtful about the correctness of your recitation, ruku, or sujood after you had performed them, you need not pay attention, and should deem the prayer in .order

۳. Whenever you suspect that any part of prayer was not carried out properly, after you have entered into a subsequent part, you should deem the previous one in order, .and the prayer shall therefore stand

* .I'd very much appreciate it, if you could give me an example

- Suppose you were reciting the second chapter in a given ruku and the doubt crept into your mind that maybe you did not recite the first one, or forgot to recite it completely. In this case, you should deem the recitation of the chapter done. Similarly, if you were on going to bow, you should carry on with what you were about to do. .Accordingly, your prayer shall be in order

۴. Whoever has a habit of doubting the correctness of the prayer, need not pay .attention to such suspicion. The prayer shall, therefore, be in order

* ?For example

-

Say, when you perform subh prayer, you frequently get mixed up as to the number of ruku you have done. You need not act on this suspicion and therefore render your prayer in order. Or suppose you have a habit of mistaking the number of sujood, e.g. .whether you did one sujood or two. You should assume that prayer is in order

?How can one reach a conclusion that they are prone to unusual level of doubt ⁕

He who has made a habit of being doubtful knows that shortcoming. It suffices to - say that the frequency of their doubt is more than what is normally expected of the average person. For instance, they may doubt that they did something wrong in one .out of every three prayers they had performed

When you are unsure how many ruku you have done in subh, maghrib, or between .۵ the first and second ruku of every four-rak'a prayer, to the extent that you cannot .decide the number of ruku either way, the prayer shall be invalid

?Could you give me an example ⁕

Say, you were praying Subh, and you became doubtful as to whether it was the first - ruku you were in or the second. After a short pondering, you should make up your mind as to which ruku you were in. If this does not materialize either way, i.e. the first .or second ruku, you must assume that your prayer is null

If I had a strong inkling that it was, the ⁕

?first ruku for example

In this case, you should act on that probability and carry on your prayer by doing the - .second ruku; your prayer should, accordingly, be valid

And what about the possibility of growing doubtful between the third and fourth * ?ruku of a four-rak'a prayer

Should you make up your mind as to the number of ruku, you should act accordingly - .and do the remaining ruku

?If I remain undecided *

This needs discussing in some detail as each case has its own ruling. Here, though, - :are some of these situations

If the doubt arises as to whether the ruku was the third or the fourth, no matter at .۱ what stage the doubt took place, you should assume that it is the fourth. You should, therefore, carry on with the prayer and after you have finished it, you either do two ruku from a sitting position or one ruku from a standing position. This is called salatul .(ihtiyat (precautionary prayer

If the doubt arises as to whether the ruku was the fourth or the fifth, after having .۲ placed your forehead on the sujood spot for the second sujood, albeit before starting the utterance, you should assume that it is the fourth ruku. You should, therefore, carry on with your prayer; after you have finished it, you should perform sajdatay-as-sahu (two compensatory prostrations in lieu of any commision or omission in prayer .(due to forgetfulness

,If the doubt arises as to whether the ruku was the first or the second .۳

at the time of executing the second sujood, you should assume that it is the third ruku. You should, therefore, carry on with your prayer, doing the fourth ruku. Once you finish prayer, you should perform salatul ihtiyat [in this case, it should be one ruku .[from a standing position

?How should I go about salatul ihtiyat *

Immediately after you have finished the prescribed prayer, you should begin salatul - ihtiyat. That is, without any turning with your body to either side. In short, you should .refrain from any action or saying which could invalidate prayer

The way to say salatul ihtiyat is by starting with takbiratul ihram, then recitation of the Chapter of al-Fatiha [in a lowered voice]. There shall be no need to recite a second chapter. The subsequent movements and utterances would be bowing for ruku, sujood, tashahhud, and tasleem. That is, if the choice was for salatul ihtiyat to be said from a standing position. If it was for it to be said from a sitting position, there must be .a second ruku before you do tashahhud and tasleem

?What about sajdatay-as-sahu *

After you do niyyah, immediately after you have finished prayer, it is preferable you - do takbiratul ihram too. You should, then, do sujood. And as you are in a prostrating position, you should say (Bismillahi wa Billah. Assalamu Alaika Ayyuhan Nabiyu wa Rahmatul Lahi wa Barakatuh: In the name of God. May peace and blessings be with you, Oh Prophet). You should raise your head, go

to a crouching position, and do a second sujood in exactly the same way. After you .have finished the second sujood, you should do tashahhud and tasleem

It should be noted, however, that sujood-as-sahu is a means of making up for other :lapses that could happen during prayer. These are

.[a. [When you inadvertantly speak, while you are praying

b. [When you inadvertently utter any sentence of tasleem prematurely, i.e. while the .[prayer is still in progress

c. Should you forget to say tashahhud, it is preferable that you say it first before you .do sajdatay-as-sahu

d. [If, after you have finished your prayer, doubt arises about omitting any act or utterance, or unnecessarily comissioning something, you should perform sajdatay-as-sahu]. It is also advisable that you perform sajdatay-as-sahu, if you have forgotten one of any two sujoods in your prayer. That is, after you do the sujood in lieu. You can also resort to doing sajdatay-as-sahu, if you have suspected that you were in a standing position instead of a sitting one. To sum up, it is advisable that you perform sajdatay-as-sahu if you realized that you either omitted and/or comitted any .deed or saying during prayer

.e. You can perform sajdatay-as-sahu as many times as need be

Now that you have explained to me how prayer should be conducted and what to do * when one realizes that they have made a mistake or an oversight during prayer, I'd appreciate it, if you could demonstrate to me how you say, for example, isha prayer. (My aim

was to observe him while he was saying it). He agreed. The following is a description :of what he did

He first performed ablution (wudhu). After reciting adhan and iqamah, he set his face towards the qiblah, raised both his hands and put them close to his ears and, in a .(raised voice, uttered (Allahu Akbar

He then started reciting the Chapter of al-Fatiha and followed it by the Chapter of al-Ikhlas. Immediately after he finished reciting the second chapter, he bowed, by placing both his hands on his knees, and said while in that posture (Subhana rabiyal adheemi wa bihamdih), and as he was going back to an upright position, he said (Sami'allahu limen hamidah: May God accept the words of that who chants His praise). From the standing position, he went down for prostration. After he placed his forehead on the sujood spot, he said (Subhan rabiyal 'ala wa bihamdih). Upon raising his head, he went back to a sitting position and said (Astaghfirul lahi wa atoobu ilaih: I seek forgiveness from God and declare my repentance in His presence). No sooner had he uttered these words, he went for a second sujood, after which he went back to a sitting position, uttering the same phrase while he was sitting. Thereafter, he stood .upright again

When he stood upright for the second time, he repeated the recitation of the two chapters, and before bowing, he raised both his hands for qunoot and recited (Rabij'alni muqeemas salati wa min thurayyati, rabbana wa

taqabbal du'a. Rabanagh fir lee wa liwalidaya wa lilmu'mineen yawma yaqumul hisaab: My Lord! make me, and my offspring, keep up prayer, O our Lord! and accept my prayer. O our Lord! grant me protection, my parents, and the believers on the day .(when the reckoning shall come to pass

On completing the supplication, he went for the bowing position for the second time now, repeated the same utterances while bowing (ruku). On raising his head, the two sujoods then followed in exactly the same way in the first ruku. As soon as he completed the second sujood, and in a sitting position, with his hands resting on his thighs, he pronounced tashahhud by saying (Ashhadu alla illaha illal lah, wahdahu la shareeka lah, wa ashhadu anna Mohamman abduhu wa rasuluh. Allahumma salli ala Mohammadiu wa aali Mohammad: I bear witness that there is no god but God, and that Mohammad is His servant and messenger. May God's peace be with Mohammad .(and his Pure Progeny

My father then stood up for the third ruku. In his upright and still position, and in a lowered voice, he recited (Subhanal lahi, wal hamdu lillahi, wala illaha illal lahu, wal lahu akbar: Glory be to God, praise be to God, there is no god but God, and Allah is great); he recited these phrases three times. He then did ruku and sujood, and stood .up for the fourth ruku, which he did in exactly the same way as the third one

On going back to

the sitting position after he performed the second sujood, he uttered tashahhud and tasleem (Assalamu alaika ayyuhan nabiyu wa rahmatul lahi wa barakatuh. Assalamu alaina wa 'ala ibadil lahis saliheen. Assalamu alaikum wa rahmatul lahi wa barakatuh: May God's peace and blessings be with you, O Prophet! May peace be with us and the good among God's servants. May peace be with you).

It is worth noting, though, that I observed my father while he was praying dhuhr and asr, which are a four-ruku prayers. He said both in the same way he said isha prayer. The only difference, however, was that he recited both the chapters in a lowered voice, except for basmalah. In maghrib prayer, he concluded it at the end of the third ruku, by uttering tashahhud and tasleem after he completed the second sujood. As for subh prayer, he concluded the prayer at the end of the second ruku, for subh is a two-ruku prayer.

Having observed how my father goes about conducting prayer, I have noticed few points I would like to share with you:

١. He is very keen on saying prayers at their prescribed times. In this regard, he used to cite the hadith (saying or tradition) from Imam Ja'far as-Sadiq (a.s.), "The precedence of the onset of the time of a prayer, over saying it at the end of that time, is similar to the precedence of the Hereafter over this world."

٢. At times, he used to say asr prayer immediately after dhuhr.

He often does the same when it comes to isha prayer which he says immediately after maghrib. When I asked him as to why he used to do that, he said you have the .choice of saying these prayers either consecutively or separately

When he gets ready for prayer, his appearance assumes a dimension of humility .۳ ,and submissivenes; I often hear him recite the Holy Verse

(Successful indeed are the believers, who are humble in their prayers". (۲۳/۱"

He made a habit of paying great attention to the proper execution of all actions and .۴ utterances of prayer, be it a pause, a stillness of posture, or the sequence and .continuance of movements and utterances

My father did his best in executing the recitation of the two chapters of the Holy .۵ Qur'an during prayer, by giving due attention to the proper pronunciation of the letters in a word and the word itself in relation to other words in the particular verses. .He treated other utterances in the same way

I have also noticed that he used to perform special prayers either before the time of .۶ the five daily prayers or after he had finished. When I asked him as to what they .mean, he told me that those were voluntary prayers that are mustahab to offer

Among other meritorious acts of worship he used to do after prayer, is asking God's .۷ forgiveness for himself, his parents, his relatives, and the brethren. Also, he often uses his rosary beads to chant the

praise of the Almighty in a particular way, in that he chants (Allahu Akbar) thirty four times, (Alhamdu Lillah), and (Subhanal Lah) thirty three times each. He told me it is called Tasbihuz Zahra' (Praising of the Lord as used to be carried out by the daughter .(' .of Prophet Mohammad, Fatima az-Zahra' 'a.s

(Dialogue on prayer (۲

While we were still on the subject of prayer, in this part two of the dialogue, I wanted .to test my memory as to the information I had acquired

So, before my father resumed the talk, I asked him if I could say isha prayer by doing .two rukus only

.No, didn't I tell you it is a four-ruku prayer -

.The reason why I asked is that I saw you once perform it as such *

?On that occasion, were we on a journey -

.Yes *

It is true. The reason being that there is a concession for the believers, in that when - they are on a journey, they are required to do only two rukus, i.e. qasr prayer of the four-raka' prayers of dhuhr, asr, and isha prayers, provided that certain requirements :are met. These are

The distance covered by any trip, from the home of the mukallaf, must be at least .۱ .forty four kilometres, be it one way or return

?What is the point of calculating the distance *

If you satisfy what is generally accepted as travel, the point starts from the last - .building on the periphery of the town you live in

The continuity of the .۲

purpose of travel, i.e. if you change your mind and abort your journey, say half way, you should perform your prayer in full. That is, if the distance covered in both directions was less than forty four kilometres. If, however, the distance of the outgoing journey and the return one was more than the stipulated minimum, you .should say your prayer qasr

The aim behind the travel must be legitimate, i.e. not aiming at committing a .۳ haraam act, such as stealing, or the travel was unauthorized, as in the case of a wife embarking on a trip without the permission of her husband. Travel for fun, such as .going on a hunting expedition, does not yield qasr prayer

Travellers who do not intend to stop at their home town, those who do not intend to .۴ stay a minimum of ten days, and those who remain undecided as to the length of their .stay for a period of thirty days qualify for qasr prayer

And if a) The intention to stay in one's home town ten days and over, b) intention to ⁕ ?stay for ten days in the destination, and c) they remain undecided for thirty days

The people in the first two examples should say their prayer in full (tamam). For the - undecided, they should say tamam prayer after the thirtieth day for the duration of .their stay thereafter

If someone's job involves travel, such as a driver, or their work entails frequent .۵ travel, they should say their

.prayer in full

What about, say, a businessman, a student, or an employee who live in a town, ❊ more than twenty two kilometres away from their respective place of work or ?university, and need to cover that distance, more or less, on daily basis

.(They must say their prayer in full (tamam –

Those who have no permanent abode, such as roving tourist, should say their . ؟ .prayer in full

If, during the journey, it was time for prayer, yet I did not say prayer there and then, ❊ ?until I returned to my hometown, what sort of prayer should I say

.You should say your prayer in full –

And if it was the other way round, i.e. I was in my hometown when it was time for ❊ prayer but could not say it there and then, and set out on a journey that qualifies for ?the minimum distance of forty four kilometres

.You should say your prayer qasr –

.Some times, I see a group of believers say prayer collectively ❊

.('Yes, this is called congregational prayer (salatul jamaa –

?How is it said ❊

If there are two or more people, they can conduct congregational prayer. The – important requirement here is that the person who is going to lead the prayer (imam) must fulfil certain conditions. Those taking part in congregational prayer shall receive .(added thawab (reward from God

?Does this mean that conducting it is a mustahab act ❊

Yes, particularly when the imam is a learned man. Also, the more people were – ,praying congregationally

.the more thawab there will be for them

You mentioned the qualifications that must be present in the person who lead the ⁕ ?prayer. What are they

He must be adult, sane, devout, just, and not rebellious against the injunctions of – God; he should also be of a legitimate birth, and male, where the worshippers are .male

What is the criterion of identifying a person with these qualities so that I could pray ⁕ ?behind them

.Their appearance should suggest that –

?Are there any other conditions that the imam must meet ⁕

Yes, [It is imperative that he was not convicted according to the Islamic penal code]. – He must be able-bodied so that he can execute the movements of prayer in full, especially when the person who is praying behind him is able-bodied too. As far as the direction of the qiblah is concerned, both the imam and the person praying behind him should be in agreement as to its right direction. The person who is going to be led in congregational prayer has to satisfy himself with the knowledge that the prayer of the imam be in order. For example, if the person taking part in congregational prayer knew for sure that the wudhu of the imam was not in order because he unknowingly .used water that was najis, it is not permissible for them to pray behind the imam

?How should I go about performing congregational prayer ⁕

If there were two of you, one should stand to the right, and –

lightly behind, the one who leads the prayer. If, however, there are more than two, the rest must stand behind the imam without a barrier such as a wall separating them from the imam. The place where the prayer is conducted should be even. The imam's position should not be higher than the position of those following him in prayer. The gap between the imam and the rest of the congregation must not be great. Nor .should the gap separating the worshippers, standing side by side in prayer

Can I say that the gap between the imam and each one of the rows of worshippers ⁕ ?be a meter or so

Yes, approximately one meter]. To achieve linkage between the imam and the rest] - of the congregation, it suffices that it be done through one worshipper in any .direction

?And what else ⁕

The worshippers must follow the imam in what he says and does from takiratul - ihram to tasleem, i.e. they must not say or do anything before him. The only difference is that the worshippers could choose not to recite the two chapters, for the imam's .recitation makes up for theirs

?Suppose I was a bit late in joining the congregation. When can I join in ⁕

You may join in while the imam is either in a standing position or during a ruku. - Should you join in during a ruku, you need not worry about the recitation of the two .chapters

If I happened to join in while the imam ⁕

?'was uttering the tasbihat in either the third or fourth ruku

You should utter takbiratul ihram and recite the two chapters in a low voice, and if - .there is not sufficient time for both the chapters, it suffices to recite al-Fatiha

Suppose the congregation were conducting asr prayer, and I want to say dhuhr. * ?Would it still be all right if I join in

Yes, there are no restriction on joining congregational prayer, irrespective of the - form of difference between the prayer you intend to say and that the congregation is engaged in. Matters such as the nature of recitation (inaudible or audible), qasr and .tamam prayers, and qadha' or ada' are overlooked

?Can women conduct congregational prayer *

Yes, it is permissible for women to join in congregational prayer behind a male - imam. A woman can also lead the prayer for other women. However, when a woman leads the prayer for other woman, [she must not stand ahead of them; rather she .[must stand in the same line

When women take part in a congregational prayer with men, they must occupy the .rear lines, or to the side, but with a barrier, such as a screen

I hear of another prayer called Juma (Friday) prayer. Is it different from * ?congregational prayer

Yes, it consists of two ruku, like subh prayer. However, where it differs is that in - .Juma prayer the imam gives two sermons before the performance of the prayer

The minimum content of the first sermon is to praise Allah [in

Arabic]. He could remind the worshippers to be fearful of God. He, then, should recite a short chapter from the Holy Qur'an. After that, he should sit for a moment and stand for the second sermon to glorify the Lord, and pray for God's blessings to be with Mohammad (s.a.w.) and his Pure Progeny (a.s.). It is advisable that he should ask .God's forgiveness for the believers

?Are there any conditions to be observed when Juma becomes mandatory *

Yes, it should be held when the time for dhuhr prayer becomes due. There must be .- five people present, including the imam, provided that the imam meets the requirements for an imam of congregational prayer (salatul jamaa'a) discussed .earlier

If Juma Prayer was held in a place, that satisfies the conditions of holding it, by the Infallible Imam or his deputy, it is incumbent on all men, living within a radius of approximately eleven kilometres, of that town to attend it. Those who are exempt from attending are men who cannot do so because of severe weather conditions, .sickness, old age, blindness, or because they are travelling

If it was held by any other person, attending it does not become compulsory; and it is .permissible to perform dhuhr prayer instead

If the worshipper performed Juma prayer, that satisfied the conditions, there shall be .no need for him to say dhuhr prayer, because Juma prayer makes up for it

:There remain two important issues to which I must draw your attention

Juma prayer is wajib as a .۱

matter of choice, i.e. the mukallaf is free to perform it or say dhuhr prayer. Here I .must hasten to add that performing Juma prayer is more preferable

The distance between any two places where Juma prayer is held should not be less .۲ .than approximately ۵.۵ km

.I have a question I wanted to ask for some time, but I feel embarrassed to ask ⁕

.Go ahead and ask, as there is no shame in asking about matters of religion -

Sometimes I miss out on saying some compulsory daily prayer for a variety of ⁕ reasons that could be due to forgetfulness, apathy, or ignorance; at other times it has ?dawned on me that I did not say some prayers properly. What should I do

You have to say them again with the niyya of qadha'. You should, though, pay - attention to the manner in which each prayer is said, i.e. if you were supposed to carry out the recitation in an audible voice, such as in the case of Subh, Maghrib, and Isha prayers, you should do so; if the prayer you were saying was to make up for another .one that was qasr, you should execute it in kind

Do I have to wait for the corresponding times of every prayer I missed out in order ⁕ ?to say them on time

.No, you can say any qadha' prayer any time you want -

Suppose I do not know how many prayers I missed. How many prayers should I ⁕ ?say

You have -

to compensate for those prayers you were sure you missed. As for those prayers you were in doubt whether or not you missed, you should ignore.

* Could you give me an example?

- If, for example, you were sure that you did not say Subh prayer for a month, it becomes compulsory on you to perform it qadha' for a month. If, however, you were in doubt as to whether or not this was the case, you need not worry, i.e. there will be no need to say compensatory prayers.

If, however, you were sure that you did not say Subh prayer for some time, yet you were undecided as to whether the period you missed out on this prayer was one month or forty days, you should assume that it is one month not forty days you should cater for.

* Is it incumbent on us to immediately make up for prayers we missed out?

- No, delaying compensatory prayer can be tolerated, provided it is not done out of indifference. However, I should advise that it is much better if you say any prayer you missed on the same day, so that such prayers do not accumulate and become a burden on you.

* Can I take you back to the first Dialogue on Prayer? You mentioned to me a type of compulsory prayer. It is the one that should be said by the son on behalf of his father, if the father did not perform it in his lifetime.

- Yes, [it becomes

incumbent on the eldest son to make amends for any mandatory prayers] his father did not fulfil in his lifetime, provided that the eldest son was not minor at the time of his father's death, and that he was not denied the inheritance of the father. The son, .however, could hire someone else to make up for the outstanding prayers

(You also mentioned salatul ayaat. (prayer for signs or natural phenomena *

Yes, this prayer is mandatory on every mukallaf, except women who are in haydh or - nifas. Salatul ayaat must be held when there is an eclipse of the sun or the moon, [earthquakes], any other natural occurrence that happens in the sky, such as thunderbolt, or on earth, such as landslide, provided that these phenomena cause most people to be fearful and scared. This prayer could be said individually. During the .eclipse, however, it could be said collectively

?What is the best time for holding salatul ayaat *

At the start of the eclipse until the disc of either the sun or the moon is fully seen - .again

?And the rest *

The prayers for other natural phenomena have no assigned time. Prayers could be - said at the times of the occurrence of the phenomena, and throughout the duration .thereof

?What form does it take *

It comprises two ruku', each of which has five ruku'. After sounding takbiratul ihram, - you should recite al-Fatiha and another full chapter and go for ruku (bowing), then back to the standing upright posture. For the

second time, you should recite al-Fatiha and another chapter, then go for bowing and so on until you complete five ruku. After the fifth ruku, you should go for the two sujoods, precisely as you do in your daily prayer. Standing up for the second ruku, you should do the same number of bowings as you did in the first ruku. Having completed the tenth bowing, you have to perform the two sujoods, then say tashahhud and .tasleem

Suppose an eclipse of either the sun or the moon happened, yet I did not know of it * ?until it was over, do I still have to say salatul ayaat

If the eclipse was complete, you have to say salatul ayaat qadha'. If, however, it was - .partial, you need not say it

?And if it was another natural phenomenon, such as earthquake *

If the time of happening had passed and you did not say the prayer for any reason, - .'you need not say it qadha

?Do I have to say salatul ayaat for the eclipse wherever it takes place *

.No, you have to say the prayer when the eclipse is visible in your own country -

You said to me that prayer is of two kinds, wajib and mustahab. However, you have * .not given me any insight into mustahab prayer

O! there are many types of mustahab prayers. However, I will only mention a few of - :them

(Salatul Lail (night prayer .١

It is preferable to say it during the last third of night, closer

to the time of dawn. It consists of eight ruku’. It should be said in two-ruku segments, in exactly the same way you say subh prayer. After you have completed the eighth ruku’, you say shafi’ prayer of two ruku, followed by watr which consists of one ruku. .’Thus, the total will be eleven ruku

?Could you show me how watr prayer is performed *

After takbiratul ihram, you should recite al-Fatiha followed by al-Ikhlas, three times, - an-Naas, and al-Falaq. You should, then, raise your hands in supplication, which may :include the following

While supplication is being performed, it is mustahab to weep for fear of God. You may ask forgiveness for forty of your fellow devout Muslims, by their names. You may say, seventy times, “Astaghfirul Laha Rabbi, wa Atoubu Ilaih: I seek God’s forgiveness and repent to Him”, seven times, “Hatha Maqaamul ‘A’ithi Bika Minan Nar: This is the place of your bondsman who seeks refuge with You from Hellfire”, three hundred times, “Al Afu: Pardon me”. Having completed the supplication, you should do ruku, sujood, tashahhud, and tasleem in the same way you go about these acts in your daily .prayer

You may confine the prayer to shafi’ and watr, even the latter alone, especially when .there is not enough time

?What is the merit of salatul lail *

It has a great merit, for it was related from Imam Ja’far as-Sadiq (a.s.) that he said, - “In his will to Ali (a.s.), the Prophet (s.a.w.) said to him, take to salatul

lail, take to salatul lail, take to salatul lail". The Prophet (s.a.w.) was also quoted as saying, "Performance of a two-ruku prayer at the middle of night is closer to my heart ."than this world and all that is in it

:(Salatul Wahsha (The prayer of the first night of the burial of a beloved one .۲

It consists of two ruku'. In the first ruku', after suratul Fatiha, Ayatul (verse of) Kursi could be recited [up to the words of The Sublime, "Wahum Fiha Khalidoon: and they are in it (Fire) for eternity"]. In the second ruku', you may recite, after al-Fatiha, suratul Qadr, ten times. On completion of tashahhud and tasleem, you may say, (Allahuma Salli Ala Mohamdadiw Wa'ali Mohammad: May peace be with Mohammad and his Pure Progeny; O Lord make the reward (of this prayer) go to (the name of the deceased). There is, however, another format of this prayer. You may consult .jurisprudence books if you so wish

Salatul Ghufaila: An interlude between Maghrib and Isha prayers, consisting of two .۳ ruku'. After al-Fatiha of the first ruku, you may recite this verse, "Wathannouni Ith Thahaba Mughadhiban etc.: And Yunus, when he went away in wrath, so he thought that We would not straighten him, so he called out among afflictions: There is no god but Thou, glory be to Thee; surely I am of those who make themselves to suffer loss. So We responded to him and delivered him from the grief, and thus do We deliver

.(the believers “. (۲۱/۸۷,۸۸

In the second ruku’, after al-Fatiha, you may recite, (Wa indahu mafatihul ghaib etc.: And with Him are the keys of the unseen treasure - none know them but He; and He knows what is in the land and the sea; and there falls not a leaf but He knows it, nor a grain in the darkness of the earth, nor anything green nor dry but (it is all) in a clear .(book”. (۶/۵۹

You, then, raise your hands in supplication and say, (Allahumma Inni As’aluka Bimafatihil Ghaybil Lati La Ya’lamuha, Illa Ant, An Tussaliya Ala Mohammadinw Wa’ali Mohammad: O God! I ask You with the keys of the unseen, that no one save You know, to bestow peace on Mohammad and his Pure Progeny; then make your request. You carry on saying, “Allahumma Anta Waliyyu Ni’mati, Wal Qadiru Ala Talibati, Ta’lamu Hajati, Fa’asaluka Bihaqi Mohammadiw Wa’alihi Alaihi Wa Alaihimus Salam Lamma Qadhaytaha Lee: O God! You are the Bestower of my boon; You alone are capable of granting my wish; You know my need. So, I pray to You by the right of Mohammad and his Pure Progeny, may peace be with them, to answer my prayer and .facilitate my need. You should then state precisely what you want

:The Prayer at the Beginning of Each Month .۴

It consists of two ruku’. In the first ruku, after al-Fatiha, you could recite surutut Tawhid thirty times. In the second, after al-Fatiha, you may recite Al-Qadr thirty times. On completion

.of the prayer, you may give something in alms

:Special Prayer to Facilitate Difficult Matters .۵

It comprises two ruku. Should you think that you are in dire straits, say this prayer. In the first ruku', you should read, after al-Fatiha and al-Ikhlas, the first three verses of al-Fath, (Chapter No. ۴۸), thirty times. In the second ruku', you should recite al-Fatiha, (al-Ikhlas, and al-Inshirah (Chapter No. ۹۴

(Dialogue on Sawm (fasting

My father commenced his words on the subject of the month of Ramadhan in a husky trembling voice; the glow in his eyes told of an inner awe for this month. It is no wonder because it brings to mind all that which is good, exquisite, beautiful, blissful, .merciful, and forgiving

To reinforce these concepts, he transported me to the time of the Prophet (s.a.w.), precisely to his famous sermon welcoming the approach of the fasting season, "O people! This is the month of God coming to you with mercy, blessing, and forgiveness; in the sight of Allah, it is the most superior month; its days, nights, and hours are the best. In this month you are the guests of God, enjoying His hospitality. You have been rendered among those who have won His grace. Your every breath shall be deemed utterances of glory to His Name, your sleep a form of worship. Your deeds shall be accepted, your prayers answered. So, with sincerity and pure hearts, pray to your Creator to grant you success in fasting this month and reciting His Book. The

.wretched is he who is denied the Almighty's forgiveness during this august month

O men and women! During this month, the gates of everlasting bliss are ajar; so beseech your Lord not to close them off to you. The gates of the Fire are closed; so entreat Him not to open them for you. The devils are in fetters; so implore Him not set .”them free lest they should lead you astray

After he related this part of the sermon, he drew my attention to what I should be doing during this month stressing certain parts of the sermon. He went on quoting the Prophet (s.a.w.), “O people! He who provides a meal to a devout Muslim, at the end of his long day fast, during this month, his reward from God shall be as great as that for .”emancipating a slave, and he can be rest assured of the forgiveness of his past sins

Someone interjected, “O Prophet of God! Not all of us can afford to provide food for fasting people”. He retorted, “Fear God, even with half a date. Feed them, for the sake of God, albeit with a sip of water, because the Almighty grants those a full reward who .have done a small deed, if he could not afford to do more

O people! he who strives, during this month, to deal gently and politely with people, shall be guaranteed passage to paradise, on the Day when many a foot slips (leading to hell). Those who minimize the burden

of those in their employ (mulkul yameen), The Lord shall make their reckoning easy. He who checks his transgression, Allah shall withhold His wrath from him on the Day of Judgement. Whoever shuns his kinsmen, Allah shall deny him His mercy on the Day of Reckoning. He who recites just one verse of the Holy Qur’an, during this month, ."Allah shall grant him the reward of having recited the whole Book in other months

No sooner had my father finished relating those segments of the Prophet’s sermon, he criticised the behaviour of some fasting Muslims who mistakenly believe that fasting is abstaining from food and drink per se. To refute such belief, he quoted Imam Ali (a.s.) as saying, “There is many a fasting man who yields nothing from his fast other than thirst. And how many a worshipper whose night prayer gains him ."nothing but stress

He related another hadith from Imam as-Sadiq (a.s.), “ When you fast, make sure that your hearing, seeing, hair, skin, and all your faculties refrain (from that which is incompatible with fasting). The Imam was also reported as saying, “Fasting should not be confined to abstaining from food and drink. You should restrain your tongues from telling lies, cast your eyes away from that which Allah has ordained not to be looked at. Do not engage in conflict. Do not envy each other. Do not backbite, swear at or curse one another. Avoid giving false testimony. Be like one who is anticipating to move to

the next world, counting in the process your days, waiting for that which God Almighty has promised you, and always taking stock of your deeds in anticipation of having audience with Him. Take to God-inspired peace of mind and dignified bearing; take to .”submissiveness and humility - the submissiveness of a slave, fearing his master

My father told me a story that took place at the time of the Prophet (s.a.w.). The Prophet (s.a.w.) heard a woman calling her maid names. He called for food to be served to her. She said that she was fasting. He said to her, “Why are you fasting when you have just called your maid names? Fasting is not simply abstaining from food and drink. It is a means of refraining from committing sins by word and deed. .”How scarce genuine fasting is and how abundant hunger

I felt so humble and said to my father, “It is time I should fast the month of ⁕ Ramadhan, and I shall start this year. However, what is the way to knowing that the ?”month has started

You should be able to know that by sighting the new moon in your country or nearby - countries that share the same horizon; in other words, if the crescent is sighted in one country, it should be seen in the other, were it not for natural barriers, such as clouds, .mountainous terrain, and the like

?What is the proof of sighting the moon ⁕

The evidence could be one or more of -

:the following

.You have sighted it yourself .۱

The testimony of two men of impeccable character, provided that you do not have .۲ any knowledge of instances that they may be wrong, and that you do not dispute their .testimony

The lapse of thirty days on the month of Sha'ban, thus reaching certitude that .۳ .Sha'ban has come to an end and that Ramadhan shall commence

When the news of the birth of the moon of Ramadhan becomes commonplace that .۴ .you are sure of the sighting

Suppose I did not know whether it will be the start of Ramadhan, and I intend to fast ⁕ ?tomorrow. How would this day be treated

You make your niyyah as though this day was of Sha'ban. If, however, during the - day it was announced that it was the first day of Ramadhan, you rectify the niyyah .and your fast shall be in order; i.e. there shall be no need for you to fast instead

How would I know that Ramadhan has drawn to a close and that the month of ⁕ ?Shawwal has started

In the same way/s you have come to know of the sighting, and/or the start, of - .Ramadhan

?All right. If I have concluded that I sighted the moon of Ramadhan ⁕

You should fast. So too should every Muslim who is adult, sane, and sure that fasting - .would not endanger their health, nor on a journey, or in a comma

As for women, they should be fasting, provided that they are not in a state of

haydh or nifas, for they are not required to fast. They must, though, make up for the .days of fasting they missed out at a later date

⁕ ?Should someone fear that fasting may harm them, what should they do

– He who fears for himself of falling ill as a result of fasting is not required to fast. Nor is he who believes that fasting would worsen his poor state of health in any way, be it hampering his recovery or increasing his pain. This should, however, be .commensurate with what is generally accepted in these circumstances

⁕ ?What about the person who is on a journey

– If he sets out for a journey after zawaal, [he should continue with his fast]. Should he .set out before dawn, he should not fast

⁕ ?What if he travels after dawn

– In this case, [fasting is not in order, irrespective of whether or not it was clear in his .mind that he intended to travel the evening before]. He should, therefore, do qadha

⁕ ?If I want to fast, how should I go about it

– You should make niyyah, of seeking proximity to and pleasure of Allah, the Most .High, for fasting from the onset of dawn to sunset

⁕ ?Doesn't fast mean abstention

– .Yes

⁕ ?What should I abstain from

– .You should abstain from nine things believed to cause a fasting person to break fast

١ .and ٢. Deliberate eating and drinking, be it little or much

⁕ ?What if I did not do it on purpose

– As

long as you did it inadvertently, your fast should be in order.

❊ Can I rinse my mouth with water without swallowing it?

– Yes, you can do that. If, however, the intention of rinsing was to seek cooling off and the water found its way to your stomach, you should make up for that day (qadha). Yet, if you swallowed the water unknowingly, you don't have to do qadha.

❊ Can I dip my head in water, taking precautions, in the process, not to let water find its way to my stomach?

– Yes, you can do that, albeit it is absolutely makrooh.

۳. Deliberately telling lies to Allah, or His Messenger (s.a.w.), or the Infallible Imams [(a.s.)].

۴. Deliberate sexual intercourse.

❊ What about the fasting man and his wife?

– They can have sexual intercourse outside fast times.

۵. All kinds of masturbation.

۶. Deliberate staying in a state of janabah until dawn. If a person had a sexual intercourse that rendered them in a state of janabah, they should do ghusl before the onset of fajr (dawn), so that they are tahir to embark on fast.

❊ Suppose I entered a state of janabah during the night, but could not do ghusl due to being unwell, for instance, what should I do?

– You should do tayamum before the onset of dawn.

❊ What about women?

– If they become tahir after being in either a state of haydh or nifas, they must do ghusl before the onset of dawn, so that they fast while in a state of tahara.

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Suppose I was asleep during the day, and dreamed having a sexual intercourse precipitating ejaculation. What should I do?

- The emission of semen in this case should not render the fast invalid. It should be in order, even without performing ghusl.

٧. [Deliberate inhaling of air laden with thick smoke or dust].

٨. Deliberate throwing up.

* What if this takes place beyond one's control?

- It wouldn't invalidate one's fast.

٩. Intravenous injection with water or other liquids.

* Should a fasting person intentionally commit any of the aforesaid acts, what should they do?

- They should refrain from committing those acts and make amends according to the following detail:

a. Should a fasting person remain in a state of janabah on purpose until the onset of dawn, they should abstain during the day [Let their abstention be in a form of alqurbal mutlaqah, i.e. without specifying that this abstention is for the obligation of fast of Ramadhan or out of courtesy thereof].

b. In the case of lying to Allah, His Messenger, or inhaling thick smoke or dust, [they should abstain from eating or drinking for the rest of the day in compliance with the lawful injunction is either to carry out the obligation of fast or to abstain, i.e. from eating and drinking out of respect].

c. For nullifying one's fast due to committing any of the other acts, [they should abstain for the rest of the day out of respect for the lawful injunction].

In addition, one has to make up for the days that have been

rendered invalid and pay an expiation. This could take the form of either emancipating a slave, feeding sixty poor people, or fasting two consecutive months for each day of fasting that had been rendered null. This is so, irrespective of whether rendering fast invalid was by something lawful (halal), such as drinking water, or unlawful (haraam), .such as drinking alcohol or masturbation

?How would you feed sixty poor people *

You could serve them with food, making sure that they had their fill. You could also - supply them with foodstuffs by giving them approximately ۷۵۰ gm each, of either dates, wheat, flour, rice, moong beans or the like for every day that you missed by default. You, cannot, however, give them money instead. You could do so, though, only by way of proxy, i.e. by authorizing the poor person to buy the foodstuff on your .behalf and take possession of it

What if I was not able to fast any days of Ramadhan for a valid reason, such as * ?sickness, or travel

You could make up for any number of days by fasting during the year, except for the - .(days of the two eids (al-Fitr, and al-Adh'ha

?Suppose my illness continued until the next Ramadhan. How should I go about it *

You won't be required to do qadha. Instead, fidya (redemption from certain religious - obligations by a material donation or ritual act), becomes due. In this case, you should give to the poor by way of sadaqah ۷۵۰ gm of

.food for each day that you missed

:Having said that, I must remind you of the following

It is not permissible to fast on either the first day of Eidul Fitr or the first day of Eidul .١ Adh'ha, be it qadha or for any other purpose.

The eldest son of the deceased should make up for any period of fast that his] .٢ father had missed out during his lifetime for a valid reason. So too are the periods of fast the father did not do, even though he was able to do so. This can, however, be done by the son, if he was not a minor at the time of his father's death nor was denied .[his inheritance

:There are certain categories of people who are allowed not to fast .٣

a. The elderly, who cannot fast, or fasting could cause them aggravation or difficulty. In this case they should resort to fidya, by donating ٧٥٠ gm of wheat, which is preferable, for every day they did not fast. They are, though, not required to do .qadha

b. The expectant mother, who is approaching the date of delivery, and who feels that fasting could entail danger to her wellbeing or that of her baby. In this case, she .should make up for the days missed later

c. The nursing mother, who is experiencing a lack of milk, and whose fast could harm her or her baby, [provided that she was the only source of her boy's suckling]. Conversely, it is not permissible for her

not to fast. If, however, it was permissible for her not to fast, she must make up for .the days she missed

However, it is incumbent on both, the nursing mother and expectant mother to make .amends by donating ۷۵۰ gm of food for every day they did not fast

Like prayer, which is either obligatory or voluntary, fasting can be either too. Rather, .۴ it is one of such voluntary acts of worship that are strongly recommended – tradition has it, “It is a refuge from hell”, “It is a form of zakat that renders the body pure”, “By it .the worshipper enters paradise”, etc

It has been related that fasting in the following days and occasions is highly :rewarding

a. Three days in each month, preferably the first and last Thursday of the month and .the first Wednesday of the last ten days of it

b. The anniversary of the birthday of the Prophet (s.a.w.) and the day he was .summoned to declare his Prophethood

c. The Day of al-Ghadeer (Celebrating the appointment, by the Prophet ‘s.a.w.’, of .(Imam Ali ‘a.s.’ as his successor

.d. The ۲۵th day of Thil Qi’dah

.e. The ۲۴th day of Thil Hijjah

.f. The whole, or part, of Rajab

.g. The entirety, or part thereof, of Sha’ban

And last, but not least, my father narrated to me this tradition from Imam as-Sadiq (a.s.), “In order that your fast be fully accepted, you should give zakat”, meaning zakatul fitra (a specified type of religious dues paid by the worshippers when they complete the fasting

.(of Ramadhan

My father added that it is incumbent on every adult who is sane and has provisions for the entire year to set aside zakatul fitra for himself and his dependants, be they members of his immediate family or others, and be they children or adults, including .[those guests who arrive on the eve of Eid [or after it has set in

The amount of zakatul fitra, per head, is three kg. of wheat, barley, dates, raisins, other foodstuffs, or their value in money. It has to be set aside on the eve of Eid, or on the day of Eid [before prayer, for those who performed it], and up to zawaal for those who did not say the Eid prayer. This should be paid to the poor and the needy, who are eligible to receive income support from monetary tax (zakatul maal). (See Dialogue on .(Zakat

It is to be noted, however, that the zakat of those who are not of a Hashimite descent .is not halal for the Hashimites

Zakatul Fitra should not be given to one's dependants, such as father, mother, wife, .and offspring

Dialogue on Hajj

My father spoke of his experience of his first pilgrimage in a way akin to someone who had remembered a true love. I could see his true feeling in the twinkle of his eyes, the .smile on his face, and the reverence of his words

When I told him what I had noticed of his state, when he recalled that experience, he :said to me

,Yes, son

"Haven't you recited the words of The Sublime,

"And when We made the House a pilgrimage for men and a (place of) security..". (2/125).

And His words, quoting His Prophet Ibrahim (a.s.),

"O our Lord! surely I have settled a part of my offspring in a valley unproductive of fruit near Thy Sacred House, our Lord! that they may keep up prayer; therefore make the hearts of some people yearn towards them and provide them with fruits; haply they may be grateful". (14/37).

My heart longs for that Sacred House.

My father cast his eyes down and, in a soft and melodious voice, recited poetry in praise of the Prophet (s.a.w.) and remembrance of the Holy places he had visited on his first pilgrimage. Raising his eyes, and addressing me, he said, "My maiden hajj left an indelible mark in my heart, the memory of which is rekindled every year, especially, at the time of hajj. I always pray to the Almighty to grace me with the favour of making the trip to Mekkah time and again.

There I interjected and asked him:

* Is it obligatory that you go to hajj more than once?

- No, it is obligatory to do hajj once, provided you can afford it. Allah says in His Holy Book,

".. and pilgrimage is incumbent on men for the sake of Allah, (on) every one who is able to undertake the journey to it.." (3/97).

Any number of pilgrimages made after the first one is mustahab.

* Would you tell me

?the story of your first pilgrimage, which is so close to your heart

I went to "al-Juhfa", one of the mawaqeet (sites appointed by Islamic sharia law for - pilgrims to wear their ihram). After I took off my clothes, I made niyyah for umrah tamatu', leading to hajj, seeking the pleasure of and closeness to Allah, I put on my ihram (special two-piece seamless attire worn by pilgrims. Also, the state of consecration during which the pilgrim refrains from certain acts, such as not combing, not shaving, and observing sexual continence). One of these two white garments is worn like a sarong, and the other used to cover the shoulder and the upper body. I, .then, chanted the talbiya

No sooner had I uttered the word "Labbayk", shivers went down my spine. I was in a serene state of mind that was triggered by a kind of devotion I never experienced .before. It was an experience of fear and submission to the Creator

The other acts you are forbidden from, once you enter the state of consecration are: a) looking into the mirror for dressing, b) protecting oneself against the sun [and rain], c) covering one's head, d) wearing sewn clothes and socks, and e) some other acts, as .detailed in the books of jurisprudence

?And after ihram, what did you do *

I headed towards Holy Mekkah, in a state of tahara, to do seven rounds of tawaf - around the Old House (Ka'ba), starting each round from the Black Stone. Having completed

.(.tawaf, I said a two-ruku' prayer behind the station of Prophet Ibrahim (a.s

I then went for Sa'y (seven laps of brisk walking between the mounds of Safa and .Marwah - an obligatory part of hajj rituals), starting from Safa

On completing the seventh lap, I made taqseer, by cutting some of my hair. By this act, I completed the Umrah of Hajj. Thereafter, I took off my ihram and waited for the ٨th day of Thil Hijja "Yawmut Tarwiyah - Lit. satisfying thirst or giving attention, i.e. when Ibrahim (a.s.) gave attention to the vision wherein he was instructed to sacrifice his son Ismael". On that day, I wore my ihram, in Mekkah this time, after making niyyah for hajj, said the talbiyah, and headed for Arafat, aboard an open top vehicle. I had to do wuquf (devotional stay at Arafat, Mash'ar and Mina as part of hajj rituals). .This was performed at the start of noon of the ٩th of Thil Hijja till sunset

Leaving Arafat, after sunset, I set out for "Muzdalifa" and stayed overnight, for I had to be there at the sunrise of the ١٠th of Thil Hijja. After sunrise, I set out for "Mina". With me were stones I gathered during my stay at Muzdalifa. In Mina, I had to :perform three types of obligations

Throwing seven stones successively at Jamarah of al-Aqabah (Pl. Jamarat: Places of .١ .(the three stone slabs representing the devil, at Mina

.Slaughtering sacrificial offering at Mina .٢

.Shaving my head at Mina .٣

On completing

these acts, I came out of the state of ihram, whereby I could do certain acts that were forbidden to me before, except seeking lawful pleasure with women, wearing perfume, [and hunting]. Thereafter, I headed for Mekkah for the second time to do tawaf of hajj, say tawaf prayer, and do sa'y between Safa and Marwah, in exactly the same way I did, on my arrival at Mekkah. Having completed that, I performed tawafun nisa' (lit. women's circumambulation: an integral part of hajj devotion, after .(which and its prayer, sexual relations between man and wife returns to normal

I, then, returned to Mina to stay the overnight of the ١١th and the ١٢th of Thil Hijja till the afternoon of the ١٢th. On each of these two days, I performed the ritual of throwing stones at the three Jamarat, the first, the one in the middle, and al-Aqaba, in .this order

Come midday of the twelfth of Thil Hijja, while still at Mina, I said Dhuhr prayer and .left for Mekkah. Thus, I performed all the prescribed duties of hajj

Despite the crowds and sweltering heat, which took their toll on me, I ensured that I executed all the obligations called for correctly. Hajj is a solemn occasion for seeking .closeness to Allah Almighty through prayer, devotion and sincere rectitude

Afterwards, I left Mekkah for Madina where I paid homage to the holy shrine of Prophet Mohammad (s.a.w.) and the tombs of Fatima az-Zahra' and Imams al-,Hassan, Ali bin al-Hussain

.Mohammad al-Baqir, and Ja'far as-Sadiq (a.s.) at al-Baqi' cemetery

I, also, visited historic mosques, the tomb of al-Hamza, the Prophet's uncle, and other .sacred sites around Madina

This, in short, was the story of my first pilgrimage. When the time comes that you can afford the journey to Mekkah after you have paid zakat and khums that render your property and other worldly possessions pure, I'll explain to you, in some detail, every .step you should take. May Providence grace you with making pilgrimage to His House

Before we end this dialogue, could I ask you about those religious dues that, as you * .put it, purify one's property

Not now, for talking of zakat and khums could take some time. However, I'm going - .(to dedicate separate dialogues for each one of them, Inshallah (God Willing

Very well, father. Do I take it that you are going to talk to me about zakat next time * ?round, then about khums

. If you so choose. Inshallah -

.Inshallah *

Dialogue on Zakat

Zakat is one of the five pillars on which Islam is built. It is among the obligations of faith. Because of this it has been described by a Prophetic hadith: Prayer may not be .accepted from the worshipper who withholds zakat

,When the verse

,(Take alms out of their property, you would cleanse and purify them thereby..", (۹/۱۰۴"

the Prophet (s.a.w.) ordered his messengers to go out and break the news, "Allah, the Most High, has decreed that you pay zakat as He has decreed the daily

prayers". When it was the first anniversary of the injunction, he sent his messengers to make it known to the people, "Take the portion of zakat out of your property, that your prayer may be accepted". He, then, sent out the taxmen to collect zakat from .those who were required by Islamic law to pay it

My father continued relating to me evidence from tradition on the importance of paying zakat. He said: Once the Prophet (s.a.w.) was in the mosque, he started calling some five co-worshippers by their names and ordered them to leave, adding: do not .say prayer here so long as you withhold zakat money

Imam Ja'far as-Sadiq (a.s.) was quoted as saying, "On the Day of Judgement, Allah, the Exalted, shall resurrect some of the dead from their graves, with their hands glued to their necks so much so that they cannot move them an iota. Shepherded by the angels, they will be taunted: These were the ones who withheld a meagre portion of abundant bounty (they were favoured with). These are the ones who withheld the .right of God to be taken from their property

Moreover, during my recitation of the Holy Qur'an, I frequently come across many a verse where zakat has been equated with prayer. This indicates the lofty place of .zakat in Islamic legislation

When I asked my father about the rationale behind stipulating payment of zakat, he answered me with a hadith from Imam as-Sadiq (a.s.), "Zakat has been imposed as a measure of trying

the rich and a source of subsidy for the poor. And if people paid zakat due on their property, there won't be any needy or poor Muslims. What you see of want, poverty, and hunger are the result of the rich not fulfilling their obligations. It is worthy of God, the Glorified, to hold back His mercy from those who withheld His right in His property .((that was entrusted to them

?Is zakat payable on all kinds of property ⁕

.No, zakat is payable on the following, each according to certain criteria –

.Silver and gold coins .١

.Crops, such as wheat, barley, dates, and raisins .٢

.Camel, cattle, buffaloes, sheep and goats .٣

.[Revenue from trade] .۴

What are the conditions that should be present in silver and gold coins to render ⁕ ?them taxable

:Several conditions –

The quantity of gold should not be less than mithqal sairafi (of coins and bullion – a unit of weight, equivalent to ۴.۶٠٨ gm). The percentage due is ٢.۵٪ . For every three .mithqals increase thereafter, the same percentage must be paid

As for silver, the quantity should not be less than one hundred and five mithqals; the percentage due is ٢.۵٪. For every twenty one mithqals thereafter, the same .percentage should be paid

?If the quantities of silver and gold do not reach those limits ⁕

.No zakat is payable –

Eleven months should pass, leading to the twelfth month, while it is still in one's .٢ .ownership

Silver and gold should be of the minted type used as a means of monetary .۳

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.exchange

?What about jewellery made of gold and silver *

.They are exempt from zakat -

The ability of the owner of these metals to use them freely all year round. Thus, no .۴ zakat is due on property over which you have no control, such as lost property, for a .generally accepted length of time

Adulthood and soundness in mind of the owner, for no zakat shall be due on such .۵ .coins owned by a minor or a mentally handicapped person

The second category of zakat is that which is due on such crops as wheat, barley, dates, and raisins. The minimum weight taxable of any of these crops, when it is dry, shall be three hundred sa’ (a cubic measure equivalent to approximately ۸۴۷ kgs). The :amount of zakat deductible is according to the following criteria

a. If the land cultivated with these crops is irrigated by either rain or river water, that .does not call for great effort, the zakat shall be ۱۰٪

.b. If it is irrigated by hand, a pump, or the like, zakat payable shall be ۵٪

c. If the source of irrigation varies, i.e. using both the ways mentioned in (a) and (b), payment of zakat shall be at the rate of ۷.۵٪, unless either way of irrigation was used sparingly. In this case, the rate shall be charged in line with the predominant way .applied

?Are there any other conditions *

Yes, the crop should be owned by the mukallaf at the time of zakat being due. - Should he assume

.ownership thereof at a later date, no zakat shall be due

?When does zakat become due on the four types crop ⁕

It becomes due on any of the four crops when it is generally accepted that they - .cannot be mistaken for any other crop than wheat, barley, dates, and raisins

The third category of property that is liable for zakat is that comprising sheep, goats, cattle, camels, and buffaloes. The criteria for payment of zakat on these types of :livestock are the following

.When their respective numbers reach certain figures .۱

Insofar as camels are concerned, a minimum number of five camels would warrant one sheep of zakat. For every five extra camels thereafter, and up to and including twenty five, the rate is one sheep for every five camels, i.e. if you have twenty five camels, five sheep is the number that should be given in zakat. However, if you own twenty six camels, the zakat due shall be one two-year-old she-camel; thirty six .would warrant one three-year-old she-camel

There are, though, other bench mark numbers; this is not the time to go into detail .about them

As for sheep, the minimum, on which zakat is due, is forty. One sheep should be given away in zakat for that number of sheep. Two sheep for a hundred and twenty one, three sheep for two hundred and one, four for three hundred and one; any number of sheep exceeding four hundred the rate is one sheep for every one hundred of them, .without a ceiling

In

respect of cattle and buffaloes, the minimum that is taxable is thirty of either. Zakat payable on that number is a calf, that has just entered the second year of its life. If the .number was forty, zakat due shall be one two-year-old she-cow/buffalo

However, zakat shall not be due on any minimum number stipulated for camel, cattle, and sheep. That is, if the number exceeds the minimum, there shall be no zakat until .the number has reached the new minimum

Such livestock must be of the kind that graze in the fields. Should it need to be fed by .۲ supplements, even during part of the year, there shall be no zakat. [It is not of a consequence if the animals are used for work, such as tilling the fields or carrying water and the like. Zakat must be taken out, even if they were used a good part of the .[year

The owner, or his guardian, should have the right of disposal over his livestock .۳ throughout the year. If any was stolen, for a considerable period of time then .returned, no zakat shall be due

A minimum of eleven months, leading to the twelfth month, should have elapsed .۴ .under the ownership of the same person, before any zakat becomes due

The fourth category [of property where zakat becomes payable is revenue from trading]. It is the capital used, for buying and selling, by a person with the aim of .making a profit

The rate of zakat deductible is ۲.۵٪ when all the

:following conditions are met

.The owner should have attained adulthood and be sound in mind .۱

The property should attain the minimum outlined in silver and gold monetary means .۲ .of exchange

The lapse of one (tax) year on it, in kind, from the date it was intended for trading .۳ .and making profit

The intention to make profit should remain constant during the entire year. In other .۴ words, if you appropriate some of the money you set aside for the purpose of trading, .or spend part of it on buying provisions during that year, no zakat shall be due

.The right of having free hand in the capital throughout the entire year .۵

.The aim behind the working capital should be economic activity, i.e. not tying it up .۶

?Should I take zakat out of my property, to whom shall I give it *

It is paid to those who are eligible to receive it. They fall in eight categories; you find - ,them in the words of The Sublime

Alms are only for the poor, the needy, the officials (appointed) over them, those" whose hearts are made to incline (to truth), the (ransoming of) captives, those in debt, in the way of Allah, and the wayfarer; an ordinance from Allah; and Allah is .(Knowing, Wise). (۹/۶۰

?What is the difference between the needy and the poor *

Both of them share, to a large extent, the same description, i.e. they are those who - do not have the means, for a year, to support themselves and

members of their family, and do not have work whereby they can earn a living. The poor, however, are worse off.

※ Who are the officials appointed over them?

– It is the workforce charged, by the Prophet (s.a.w.), the Imam (a.s.), or the Marji' or his deputy, to collect zakat, and oversee its distribution to those entitled to receive it.

※ What about those whose hearts are made to incline to truth?

– Those are either Muslims, whose faith shall take root through receiving such dues, or the unbelievers, who are encouraged to embrace Islam – or to support Muslims in defending themselves.

It is to be noted, however, that the owner has no right of disposing with zakat money to this category. It is the prerogative of the Imam (a.s.), or his deputy.

※ And the ransoming of captives?

– These are the slaves who are bought in order to be set free.

※ What sort of debt could be settled with zakat money?

– It is the debt of those people who cannot pay back what they borrowed in a lawful way.

※ Is there a particular avenue in the way of Allah, some of zakat money should be spent?

– It is spending, in a general sense, in every avenue that is commensurate with the public interest, such as building mosques, bridges, etc. [in disposing with this portion, the permission of the Marji' should be obtained].

※ And the wayfarer?

– It is the stranded traveller, who could have run out of money, whose credit facility may no

longer be available, or who may feel embarrassed to borrow money in order to make the return journey home. [Also it is not possible for such a person to sell, or lease, some of their possessions in their home country to finance their return journey]. They can be allotted this part of zakat, provided that their travel was not for committing .any sinful act

Those, who fall within any of these categories do not qualify for receiving any money thereof, unless they are believers [they should not be among those who abandon prayers, drink intoxicants, or who openly commit that which is forbidden]. They should not be among those who dispose of the money in sinful acts, [to ensure that paying them is not a source of temptation, encouraging them to go the wrong way, even .[though they may not dispose of zakat money in disgraceful actions

Those, who are among the taxpayer's dependants, such as his wife, do not qualify for zakat money. Those of a Hashimite pedigree are not eligible to receive zakat money .from non-Hashimites; they can receive it from their fellow Hashimites only

Dialogue on Khums

Clutching a copy of the Holy Qur'an, my father went into the room where we usually conduct these dialogues. His expression suggested reverence and serenity. No sooner had he sat, he bent and kissed The Book, lifting it with both his hands and .giving it to me

Receiving it with both hands, I was overwhelmed by a sense of dignity and sublimity. My father then

.asked me to open The Qur'an and recite some verses, starting with part ten

,I opened The Book and recited ⁕

And know that whatever thing you gain, a fifth of it is for Allah, the Messenger, the" near of kin, the orphans, the needy, and the wayfarer, if you believe in Allah and in that which We revealed to Our servant, on the day of distinction, the day on which the .(two parties met; and Allah has power over all things". (۸/۴۱

:My father interrupted me, saying

?Could you repeat what you have just recited -

.I repeated part of the verse ⁕

.Thus far is sufficient -

I could hear him murmur, as though he was talking to himself, "And know that whatever thing you gain, a fifth of it is for Allah...". He raised his head and addressed ?me. Do you know that khums is wajib

.Confidently, I said, yes, yes I know ⁕

He stood up and gave me a volume of a book entitled, "Al-Wasa'il", The Means. The author is Mohammad bin al-Hassan al-Hur al-Aamili. He asked me to open the book ."and read from the chapter of "al-Khums

I read for him a number of hadiths related from the Prophet (s.a.w.), Imams Ali, al- ⁕ .Baqir, as-Sadiq, and al-Kadhim (a.s.) on the subject of Khums

Among the traditions, I read was one related on the authority of Imran bin Mousa. He was quoted as saying, "In the audience of Imam Mousa bin Ja'far - al-Kadhim (a.s.), I recited the verse of Khums. He retorted, "Whatever

was Allah's is His Apostle's; and whatever was the Apostle's is ours". He, the Imam, added, "By Allah Almighty! if Allah has made the believers' sustenance easily available with, say, five Dirhams, they should set aside one Dirham, that is Allah's share, and take ownership of four pure (halal) ones."

I also read a hadith transmitted on the authority of Mohammad bin al-Hassan al-Ash'ari, "Some of our companions wrote to Abu Ja'far ath-Thani, al-Jawad (a.s.): Could you tell us about khums? Is it deductible from all types of earnings, be they little or plenty, and how? He wrote in his own handwriting: Khums is (deductible from income) after allowing for one's provisions."

* During the Dialogue on Prayer, you said to me: Do not say your prayer, wearing clothes whose Khums tax was not paid. You reiterated this when we were discussing matters of Hajj. You said: Cleanse your property by setting aside, where applicable, khums and zakat due on it, before you embark on your journey for pilgrimage. Do I have to pay khums tax on all my property?

- Khums is payable on the following:

١. Whatever Muslims take in war booty, movable and immovable property, from the unbelievers they lawfully engage in war.

٢. What is owned, of metals, by way of mining, such as gold, silver, copper, iron, sulphur, etc. Also, crude oil and coal, after deducting production and processing cost, provided that the quantity extracted and ready for marketing is not less than the equivalent value of fifteen mithqal sairafi

.of gold coins or more

Treasures, provided that their value is not less than the equivalent of fifteen mithqal .٣ sairafi of gold and one hundred and five mithqals of silver, excluding excavation costs.

What has been extracted from the sea or big rivers by way of diving, such as pearls .۴ and corals, provided that the value thereby is not less than the equivalent of one gold .(Dinar (equivalent to ۴.۲۵ gm

.Some types of licit money mixed with illicit money .۵

Annual profits acquired through trade, industry, agriculture, presents, any other .۶ .....means of income, including wages and salaries and

I interjected, "Does this mean that profits made by bussinessmen should be liable for "?khums tax

Not only businessmen are required to pay khums on their returns, rather everyone - .who is making a profit of a kind or earning income, including you and me

?How does a businessman go about calculating khums due on his profits *

He should take stock of his cash and merchandise, a year after setting up in - :business; he should, though, exclude the following

.a. His capital

b. Any costs incurred in the process of conducting the business, i.e. transport, .electricity, telephone, rent, storage, taxes and the like

c. All personal outgoings, i.e. expenditure on food, drink, clothes, house, furniture, transport, medical treatment, and other similar expenses, including paying debt, buying presents, travelling, that are considered within one's normal lifestyle, but not bordering on the lavish side. Having allowed for all such expenses, he should set aside ۲۰٪ on the net profit

.and pay it in khums

?Could you give me an example ⁕

Suppose at the end of the year, you own ten thousand Dinars in cash and twenty – thousand Dinars in merchandise, making a total of ۳۰,۰۰۰ Dinars. And suppose you started the year with a capital of ۱۵,۰۰۰ Dinars. Expenses arising from trading totalled ۱,۰۰۰ Dinars and personal and family expenses totalled ۴,۰۰۰ Dinars. Thus, your net .profit, after deducting these expenses, shall be ۱۰,۰۰۰ Dinars, i.e

:on which khums should be paid thus ۱۰,۰۰۰ = ۲۰,۰۰۰ – ۳۰,۰۰۰

Dinars ۲,۰۰۰ = ۲۰٪ @ ۱۰,۰۰۰

On which date should I start calculating profits, so that I can pay tax after the lapse ⁕ ?of one year

From the date you make the profit till the lapse of one full year, provided that you did – not use any of the profit for food, drink, and the like. If you make your living of a profession or a salary, you fix your tax year from the date you started earning .income

If I bought clothes for me, but did not wear them for one year, do I have to pay ⁕ ?khums on them

Yes, you have to pay khums on the price of the clothes. So do the owners of any – .household effects or provisions that were not used during the whole year

Do I take it that whatever is left of personal or domestic goods and provisions, i.e ⁕ ?not used or consumed, etc. should be liable for khums tax

Yes, at the appointed date –

of your tax year, you should carry out an inventory control of all excess goods and .provisions, and set aside its fifth, either in kind or the value thereof

When I carry out the evaluation of such items, do I have to take into account the ⁕ ?price when they were bought or the current market value

.Rather, their current market value –

Suppose I did not pay khums on a particular item on which khums tax had to be ⁕ ?paid

It is not permissible to have the right of disposal over such item, unless you have – paid khums on it. It is permissible, though, with the permission of the Marji', should he .see that an interest is served in so doing

What shall be the responsibility of the heirs of the deceased person who had a ⁕ ?khums liability and who did not leave a will saying so

They should take the amount of khums due out of his estate, as a matter of priority – over other shares. However, the estate of the rebellious, who withheld paying khums, could revert to the believing among his heirs; and it is not incumbent on the inheritor .to pay the khums liability on behalf of the legator

This is the case too with everything the devout Muslim assumes ownership of from sources, that do not pay khums, by way of business or for free. Thus, the recipient has the right of disposal over such property. The same goes for the property, of a person who

does not pay khums, if he has been given free hand, but without ownership; the benefit would be the recipient's and the sin shall be on the person who withheld the .khums, if he was at fault

.My father paused for a while. I took the opportunity to ask him a question

What shall be the position of a businessman, a landlord, an industrialist, an ❊ employee, a student, or others who did not pay attention to paying khums on their ?gains years on end, then it dawned on them to pay the prescribed religious tax

Such people should pay khums on all these gains, except for their yearly provisions, – .but on everything in excess of their need

?Could you give me an example ❊

Suppose you bought a second house, i.e. other than the one you live in, you should – pay khums on it. Khums should also be paid on furniture, and other goods, bought, but .not used, thus becoming surplus to one's requirement

What about items that fall within one's yearly provision, such as the house, furniture ❊ ?and the like

If such items were bought with the gains of that year, i.e. when he bought the house – or furniture and used them, no khums shall become due. This also goes for other .goods and provisions of similar nature

What if the house was bought, for one's own use, with profits that were ❊ accumulated from previous years plus the profits of the year in which he bought the house, as is the

?case of many people nowadays

They should consult the Marji', or his deputy, to reach a settlement with regard to - the portion of previous years' profits and that of the year they bought the house. Should the amount of profits made during previous years be determined, khums must .immediately be taken out of such profits

?If the person concerned was in no position to pay the khums due immediately *

The Marji', or his deputy, may allow him to pay it by instalments, after he considers it - .as a debt to be settled by him without default

I am now living with you in the same house. Do I have to pay khums, or should the * ?khums payments you make suffice

Yes, you must pay khums on profits accrued, but not used, during the year, because - .you did not need to

Being a student, suppose, during the summer recess, I worked part time and earned * ?some money and spent it to buy clothes or the like. Am I required to pay tax on it

If you spent it on things of personal use, no khums shall be due. If, however, you - .saved it or part thereof till one year has passed, khums becomes due on the savings

Someone bought a shop with its contents for a particular premium; he then set * aside the khums due on the purchase price after the lapse of one year. Should he cater for khums on the amount of appreciation of both the premium and the

?goods every year

No, it shall be incumbent on him to pay khums on the extra profit, should he sell the -
.shop and not spend the returns on buying provisions during the year

Do cutlery and chinaware, used as ornamental objects, warrant exemption from ⁕
?khums

If it is widely accepted among one's peers as such, no khums tax shall be due as -
.they are considered among other household effects provided during the year

Suppose I had a certain amount of money that is net of khums. I chose to convert it ⁕ into another currency. The value of the latter became two-fold, compared to the original currency. I further chose to save it beyond the first year. Do I have to pay ?khums on it

You are not required to pay khums on the excess amount of appreciation, so long as -
.your intention was to save the money

Some foodstuffs are subsidised by the state, i.e. their price is cheaper than ⁕ comparative merchandise sold privately in the market. If the owner of these subsidised items did not consume some of them, and the first anniversary of their purchase came and went, should the calculation of the khums due on such goods be ?made according to the subsidised price or market price

Khums should be calculated in line with the market price at the time of paying -
.khums

A plot of land was lawfully bought, and made use of, by a person. However, it is ⁕
registered with the land registry office in

another person’s name. Thus, the latter has the right of disposal over the land. Should the original buyer pay the khums due on it now, or postpone payment until it is ?officially registered in his name

He should pay khums on it now, should the case satisfy the aforesaid criteria of – .khums

What about the pension received by retired people? Do they have to set khums * ?aside on receipt thereof or delay payment of khums until the new tax year

.Khums should be paid on the surplus amount in the new tax year –

?Should I set khums aside, to whom shall I give it *

Khums is two halves . One half is the right of the Awaited Imam (May Allah hasten his – reappearance), to be spent in the avenues that please him, with the permission of [the most erudite Marji’, who is fully aware of of avenues of public interest], or it could be paid to him directly. The other half should be spent on the poor and the wayfarers among practising Hashimites; and committed Muslims among the orphans of the .believers

The Hashimites here mean the descendants, from the father side, of Hashim, the .(.grandfather of the Noble Prophet Mohammad (s.a.w

It is to be noted, however, that [it is not permissible to give khums money to one’s own dependants, such as father, mother, wife, and offspring]; it is not permissible, too, to give it to him who shall spend it in haraam avenues; [what is of consequence is that giving

such money away should not lead to aiding the recipient to commit a sin, although he might not spend it in a haraam act. It is also not permissible to give khums money to those who forsake prayer, consume intoxicants, and flagrantly flout religious .[injunctions

Dialogue on economic activity

.If you want to take to trade for a profession, get a clear picture of your religion

With these words, my father inaugurated today's dialogue and carried on, quoting :Imam Ja'far bin Mohammad as-Sadiq as saying

Whomsoever wants to make a living out of trading, must be conversant with matters of religion, so that they can draw the line between halal and haraam. Whoever entered into the arena of trade without acquiring an insight into religious knowledge, .(could easily fall into the trap of judicial error (shubuhat

Many people may experience problems because of being either unaware of it, or .choosing to ignore it; thus, committing error of judgement

Since I am still not able to outline the relationship between fiqh (jurisprudence or :religious knowledge) and trade, I asked my father

* ?What is the connection between acquiring religious knowledge and trade

Well, The Lawgiver has catered for the handling of all aspects of our economic life, - guaranteeing equity, the good utilization, distribution and transfer of wealth between .all sections of society. The ultimate objective of this is the public good and welfare

It is, therefore, quite natural that, in order for The Lawgiver to apply His economic principles, He to devise a number of parameters to permit or

forbid certain economic activities at times, and make difficult or easy certain avenues .at other times

The Lawgiver, thus, obligates the mukallaf to earn a living to maintain himself and his .dependants, such as wife, children, and parents

In so doing, The Legislator does not leave the door open for the bread winner to practise any work he chooses, for there are many economic activities that are .forbidden

?For example ⁕

.Handling intoxicants is haraam –

.Selling dogs, except hunting dogs, is haraam

.Selling pigs is haraam

Selling the carcasses of animals which have not been pausfully slaughtered, including .their meat and leather, is haraam

.Dealing with usurped property is haraam

Selling gambling tools and equipments and instruments of forbidden amusement, .such as violin, is haraam

.Cheating is haraam

.Usury is haraam

Commercial monopoly is haraam. For example the monopoly of staple food, and all that which goes into preparing it – fuel, salt, oil, etc. Hoarding such goods, while denying the public sale at reasonable prices, in anticipation of higher prices, is .haraam

.Bribing the judiciary to pass right or wrong judgements is haraam

Playing in gambling tools, such as chess, dominos, backgammon, and betting on them is haraam; even playing chess and backgammon [and the like] without betting is .haraam

False bidding, i.e. with the aim of enticing others to buy merchandise at a rigged price, .[is haraam [even if it was free from malice

Dealing with stolen property or buying what has been procured with gambling money .is haraam, etc

?These are forbidden. Are there any activities that are makrouh *

Yes, there are -

some economic activities that the Lawgiver deem detestable. Shying away from such .activities is not binding for the mukallaf; it is, therefore, makrouh not haraam

?Could you give me an example ⁕

Selling real estate (one's own house) is makrouh, unless you want to buy another – .property with the proceeds of the sold one

Exchanging (selling) gold for gold or silver for silver, without a profit is makrouh; doing .so for a profit, is haraam

.Borrowing money from a fledgling wealthy person is makrouh

It is makrouh too to take slaughtering animals for a profession, so is cupping .(hijamah), and vending shrouds

.Makrouh still are some dealings and methods pertaining to commercial activity

?For example ⁕

Concealing the imperfections of goods, provided that it does not lead to deceit. If it – .does it is haraam

Swearing (by God) in haggling over a price, even if it is with good intention and .truthfulness. As for false swearing, it is haraam

.Makrouh, too, is making exorbitant profit

.Asking for a discount, after the sale has been concluded

It is makrouh to sell goods in a dimly lit place, where defective goods may go .undetected

.Touting for business by the vendor, and fault finding by the buyer

These are some of the activities that are makrouh. Are there any that are ⁕ ?mustahab

:Yes, there certain dealings that are mustahab. And here are some examples –

.Lending the believer money without interest

.Buying real estate

Offering money to someone with the aim of setting them up in business with an .agreed profit sharing formula

There are some dealings and methods

that are highly praised, such as charging all customers the same price for goods, and saving preferential prices for the poor. Thus, the vendor should not discriminate .against the customer who drives a hard bargain

It is mustabab, too, for the vendor to accept revocation of the sale of goods (or .services), should the buyer change his mind. Thus, the latter should be refunded

.(It is mustahab to accept the shortfall (naqis) and give away the gain (rajih

.Flexibility in pricing is called for

.It is also mustahab to keep a business facility open

It is recommended to vigorously seek work and go about one's business to earn a .living for oneself and dependants

It is mustahab to be charitable and magnanimous in selling, and making an effort to .seek out good quality merchandise for selling

Searching for work, albeit away from home (ightirab) and getting up early to report .for it is mustahab

Finally, there is a type of business activity that is neither loved nor hated by the Lawgiver. One is free to pursue or leave, as is the case of many business activities .prevalent nowadays

Furthermore, Islam has devised an array of conditions that should be fulfilled. Some are applicable to the merchandise itself, and sale agreement; others concern vendor .and buyer

* ?What conditions should be present in what is being sold

– :Many. These are

١. The knowledge of the quantity, weight, number, area, etc., as the case may be, of .what is being sold

۲. The ability to deliver what has been sold. One cannot sell fish

p: ۱۶۳

in the river, i.e. that has not been caught, or a flying bird. It is feasible, though, if the buyer is himself able to take delivery of that which has been sold, such as a runaway .animal

۳. Knowledge, in general terms, of particular attributes, of the thing sold, such as .colour, taste, good or inferior quality that may lead to a variation in price

۴. The thing sold should be free from any third party rights. It is permissible to sell a pawned item without the permission of the original owner; likewise, it is not permissible to sell an endowment, unless it is no longer viable in serving the public .interest, or it was becoming unviable

۵. In certain cases, the thing sold should be the capital asset itself, i.e. a house, a book, .an instrument, not the benefit/usage thereof

That said, my father added: Suppose certain commodities in a given country are only sold by weight, you should not attempt to sell them differently, say, by piece and so .on. This is so as not to mislead the buyer

* ?Could you give me an example

- If selling apples in a given country is normally done by weight, you should not attempt to sell them individually. And if milk is sold by litre in a particular country, you .are not allowed to sell it by weight

There are, though, conditions that should be present in the transaction, e.g. you .should not attach strings that were not present at the time of concluding the deal

To

further illustrate this, you are not allowed to make the sale of your car conditional upon, for example, a baby boy being born to you and your wife. Rather, an amended .sale contract must be entered into, if the baby boy was born

* ?What are the conditions that must be fulfilled by the two parties of the sale contract

- He who embarks on doing business must be adult, sane, of a legal age, intent on selling, having free will and not coerced, having discretion over what he is selling, .whether he may be the owner himself , his deputy, or his guardian

* ?What if the owner of a property or any thing else was forced to sell the same

- The sale is not in order, if it was precipitated by fear of the consequences of refusal .to sell, such as fearing for one's life or wellbeing or that of his dependants or relatives

* Sometimes one find himself forced, through circumstance, to move house, thus .entailing selling some of his property and/or his other possessions

- .This type of sale is sound

* If the person who is initiating the sale is not the owner or anyone else legally appointed by him, such as a relative, a friend, or a neighbour, would the transaction ?still be valid

- It is not valid, unless permission is granted by the owner or his legally appointed .attorney

* What about usurped property that had been sold and the owner gave his consent ?afterwards

- The sale should be legally

.valid

And what about the property of the minor, should he be interested in selling what is * ?lawfully his

The sale of small unimportant items, that such a minor person is used to dealing - .with, is correct. The sale of other things, he initiates independently, is not sound

?Who is allowed to sell the property of a minor *

His guardian, be it his father, paternal grandfather, legal guardian appointed by - either, and the Marji', if the aforesaid are no longer alive. The father of the minor can, therefore, sell the property of his son or daughter, provided that no malice was .intended. The Marji' can act likewise, if he sees that the minor's interest is served

Is it all right for the minor to act as a proxy of his guardian in selling his own * ?property

.Yes, he has the right -

If any sale transaction, that satisfies all the conditions discussed, was entered into, * ?can either party change their mind

:The sale contract can be cancelled in a number of cases -

If the buyer and seller were still at the scene where the transaction took place or .۱ they were together on the road, either of them may opt out; otherwise the sale .cannot be revoked

If either party of the sale transaction was swindled, they can abrogate the sale. For .۲ example, if the seller, unwittingly, sold the goods for much less than the market price, he has the right to retract the sale. By the same token, the buyer could

repeal the purchase and get his money back, if he found out that he paid an .exorbitant price for it

Should the buyer find out that the goods he has purchased do not fit the description .۳ and the specifications the seller has claimed were present, or they do not tally with what he had already seen by way of specimen or otherwise, he has the right to return .the goods and get a refund

If both parties to the sale contract stipulate that either can cancel the deal within a .۴ .prescribed period of time, they can cancel it within that time limit

If any party to the sale transaction pledged to act in an agreed way and later .۵ reneged, or if the buyer requested certain properties to be present in the goods, that he found lacking when taking delivery of the goods, he has the right to repeal the sale .contract

Should the buyer discover that the goods he had bought were faulty or imperfect, .۶ .he has the right to return the goods and get a refund

If the buyer finds out that the goods he has taken delivery of do not belong to the .۷ person he bought them from, but to another person, who does not agree to them being sold, he has the right to return the goods and consider the transaction null and .void

If the seller was not able to deliver the goods to the buyer in time, the latter can .۸ cancel the deal and

.deem it null

If the sale entails that the thing exchanged is an animal, the buyer has the right to .۹
return it to the seller within three days and get a refund. And should the price be an
animal, the seller has the right to return the animal within three days of the date of
.the transaction and get his goods back

If the vendor talks up his goods, to more than their real worth, in order to impress .۱۰
the buyer to buy them, the latter has the right to return the goods and get a refund,
.should it appear that the vendor was not honest

If a sale transaction is entered into, pending receipt of the price of the goods and .۱۱
this was not forthcoming within three days of the agreement, the vendor has the right
to cancel the sale. This is so when the vendor gives the buyer time to come up with
the money without specifying the period. If, however, no time was granted, he has
.the right to cancel the sale

Should the time of delay be put at any period beyond three days, he should fulfil his
.promise until the lapse of the appointed period of time

Is the deal legally sound if the two parties to the sale agree on paying for the goods *
?by credit

The transaction is in order. However, the period during which the price of the goods -
should be settled must be fixed by mutual agreement. It should also not be

subject to alteration either by extension or shortening. It should not be ambiguous. The agreement shall be deemed unsound if, for instance, it was stipulated that the value of the goods be settled at the time of harvest, in that there is no specific time for .the harvest

What if, at the appointed time of settling the debt, both parties agreed to put it off ⁕ ?for a further specified time, but at a premium

This is not permissible, because it is considered to be usury and haraam. Allah, the – ,Most High has said in His Holy Book

(and Allah has allowed trading and forbidden usury.." (۲/۲۷۵ .."

Sometimes the vendor and the buyer agree to barter, say, a hundred and twenty kg. ⁕ ?of wheat for a hundred kg. of the same produce. Is such a deal in order

.This is a type of usury that is haraam –

What if the parties strike a deal that involves bartering an equivalent weight of ⁕ ?wheat plus, say, fifty Dinars

This also is a type of usury which is, as you now know, haraam, unless something, of – value, is added to compensate for the wheat. That is to say, the new addition would be deemed a price for the wheat on the one hand, and the fifty dinars for the wheat .on the other hand. Only then, can you consider such a transaction sound

How should I know that such a transaction is a usury one so that I can avoid ⁕ dabbling

?in it

In a business deal, two things should be present to render the transaction a usury – :one

The goods bought and sold should be of the kind that is weighed or measured (for .١ .capacity), such as wheat, barley, rice, lentils, fruit, gold, and silver

.The two items should be of the same kind .٢

Should the deal concluded be on credit, would it still be considered a usury one, * ?taking into account the two conditions in question

No, such a deal could be deemed a usury one, even if the two conditions were not] * :present, i.e. in two other instances

a. The two items exchanged should be of the kind that is weighed or measured, but not of the same kind, such as exchanging one hundred kg. of rice for a hundred kg. of .wheat with a deferred payment, say, for a month

b. The two types of produce could not be of the kind that is weighed or measured, but of the same category, and that the excess is in kind, such as exchanging ten walnuts .[for fifteen for a month delay in payment

Am I right in assuming: a) if the merchandise is of the kind that is sold by piece, not * by weight or measure, such as eggs, or b) if it is exchanged by area, such as fabrics, which is usually sold by metre, it is permissible to sell for more, provided that the deal ?was for prompt payment of cash

Yes, the sale can be done for –

an extra number of units, such as exchanging thirty metres of cloth for forty for cash, .and thirty eggs for forty

?What about gold *

.It is not permissible, because it is of the kind that is exchanged in terms of weight -

And how about exchanging gold that has been turned into jewellery for an extra * amount of weight of gold that has not been manufactured, as is the practice among ?goldsmiths nowadays

This is of usury nature that is haraam, unless the shortfall is met as discussed - .earlier

Suppose one hundred kg. of an inferior quality of rice were exchanged in return for * ninety kg. of a superior quality of the same produce. Is such a transaction free from ?usury

It is not allowed too, because it is deemed a usury deal, unless the shortfall is made - .up

?What about exchanging one hundred kg. of wheat for seventy kg. of rice *

It is permissible, for the two produces are not of the same kind, provided that the - deal is done for cash. It is to be noted, however, that, insofar as usury dealing is concerned, wheat and barley are treated as one kind of produce. It is, therefore, not permissible to exchange, for example, one hundred kg. of wheat for one hundred and fifty kg. of barley in a straight barter deal. Similarly, the following kinds of produce are considered one kind: a) all types of dates, and the syrups extracted thereof; b) wheat, (its flour and bread; and c

dairy produce, be it milk, cheese, or yoghurt. This is because the original produce and .all that is processed from it is [always] deemed one kind

There is, though, another type of usury. It is the one that emanates from taking a .loan

* ?And what does it involve

- It is when the party who is granting the loan stipulates that the borrower returns the amount loaned plus an extra amount of money. If, for example, the original amount of loan was one thousand Dinars to be paid back, after a given time, plus an extra .hundred Dinars, both parties to such a deal are committing a sin

* ?So this type of loan is with interest. What about an interest free loan

- Giving a fellow believer, particularly to those in need, an interest free loan is a commendable act. In this regard the Prophet (s.a.w.) said, "He who loans the pious money to meet an urgent need, his wealth be purified as though zakat was paid on it ."and the angels keep a vigil for him, uttering prayer until the loan is repaid

* Could you perhaps tell me the rules of setting up a partnership, for, I understand, my ?brother intends to enter into one with a friend of his

- Partnership is permissible between two, or more parties, provided that the parties are adult, mature, have free will, are not coerced into the joint venture, and not legally .declared incompetent

The company or partnership contract could take different forms. It could be a

promissory company where the stakes in it are jointly owned. Any partner has the right to dissolve the company and seek to take their share, provided this does not entail any substantial financial loss or damage to the other partners. If this was the case, the other party or parties shall have no right of disposal over the joint ownership of capital. As for profit and loss, they should be apportioned on a par with the .respective share of each partner

Suppose the two parties agreed that one of them gets a bigger share of the profit ⁕ because of his extra responsibilities in running the company. Would the agreement be ?in order

.Yes -

How would you treat any damage to company property that was sustained due to ⁕ ?actions by either partner

The working partner should enjoy full trust. Thus, he should not be made to - compensate for the damaged goods of any sort, unless his actions have stemmed .from malice or negligence

There is another common practice which is a form of partnership. It is when ⁕ someone makes available the capital for another who sets up in business. The agreement between the two could involve splitting the profit either fifty-fifty, one ?third to two thirds, or one quarter to three quarters. Is this type of partnership sound

This type of agreement is in order, provided that it satisfies the conditions set out for - partnership, especially when the owner is not legally declared incompetent because of bankruptcy. It is called

.(silent partnership (mudharabah

?What about the working partner ⁕

It is allowed for him to be legally incompetent due to bankruptcy, if the agreement – does not stipulate giving him the right of disposal over his money that he is denied access to. However, the owner and the working partner may abrogate the agreement before or after starting the joint venture and whether profit was made. The working partner should not be held responsible for any damage sustained or loss made .through no malice on his part

Suppose the owner made it conditional that the worker should bear the loss. Is such ⁕ ?a condition valid

Yes, it is. However, this must entail that full profits be the worker's, i.e. profit and loss – .be the worker's responsibility

?What if the stipulation was that both bear the loss and reap the profit ⁕

Such a provision is invalid. Indeed, if it was stipulated that the worker was to meet, in – part, the loss, or all of it from his own property, the condition shall be in order and the .worker must discharge his obligation

If a dispute arises between the two parties, such as the worker claiming a bigger ⁕ ?share, but cannot prove his claim, how could the situation be resolved

If the case is lodged with the Marj', the statement of the owner shall be upheld, – .unless it goes against what is apparent

?How can he be sure that it is out of sync with the obvious ⁕

To give an example, the owner may –

claim that the worker's share of the profit is, say, one in every one thousand; for his .part, the worker may claim that his share is what is generally accepted in the trade

Suppose the worker alleged that the goods were damaged, a loss was sustained, or ⁕ ?no profit was made. For his part, the owner denies the worker's claim. What then

The worker's plea shall be upheld, unless it is patently evident that it does not tally – with what is obvious; to further illustrate the matter, suppose the worker said that a .certain type of goods alone was damaged due to fire

?What if the owner accused the worker of abusing his trust or was negligent ⁕

.The assertions of the worker shall hold, considering the provision discussed earlier –

Some people give power of attorney to others to represent them in a wide range of ⁕ transactions, such as selling one's house. Are there any conditions that should be ?fulfilled in this regard

Yes, the two parties must be sane, intent on making the attorney, and can exercise – free choice, i.e. not coerced into authorizing the power of attorney. The mandator .should be adult, except what can be dealt with by the discerning boy

?Is there a particular wording for the power of attorney ⁕

No, it could by anything that refers to it, be it by word, deed, or a written document. – The power of attorney shall no longer be valid, if either the attorney or the mandator .dies

Someone rented ⁕

his property, or the like, or offered his services for work. What are the conditions of ?ijarah (hire) that should be fulfilled, so that it becomes valid

Firstly, the ijarah shall be valid when it is entered into by the owner, his legal - representative, or the guardian. It shall also be valid if it is approved by any of the said .parties, after the transaction has been made

That which should be taken into account insofar as the landlord and the tenant are concerned is adulthood, reason, free will, and neither should be legally incompetent; .However, the ijarah of the bankrupt himself shall be in order

As for the property to be rented or leased out, it should be: a) of a physical being; b) that the tenant has viewed it, or has the knowledge thereof by way of description; and c) that the landlord be in a position to hand it over to the tenant. Indeed, it suffices that the tenant can move into the property and make use of it for the purpose he intended, with it being intact. Such use must, though, be halal; for example, renting a property for the sale of alcoholic drink, and other illicit economic activity, for that .matter, shall be deemed null

?Does ijarah have a special wording or text *

No, any action, by word or deed, by both parties could make ijarah effective. The - dumb, for example, could make a gesture suggesting consent to start the ijarah .agreement

In some cases the landlord *

restricts the use of the property rented to the sole use of the tenant. Would it be all ?right for the tenant to sublet the property

.No, he shall have no right to do so -

Should the rent contract be free from such a condition, would the tenant be able to * ?sublet it

The tenant shall have the right to sublet the property to a third party, provided that - he does not rent it out for an increased rent, unless he has carried out improvements to the property. This is applicable to places of accommodation, shops, boats [and .[other types of rented capital assets, including arable land

.However, ijarah shall not be valid, unless a duration for the rent is fixed

Could you give me an example of an ijarah where a set time was not prescribed for * ?it to run and end, and that it was deemed invalid

Suppose the landlord said to the tenant, "I hereby rent you my house to live in in - exchange for one hundred Dinars as long as you lived there". This type of ijarah is .void

However, if the landlord said to the tenant, "I rent you this shop of mine for this month in return for fifty Dinars, and should you decide to stay beyond the agreed duration, a new rent shall be fixed", the ijarah for the first month shall be in order, whereas that .for the remaining period shall be unsound

This is so, if the transaction was reached under the banner of

ijarah. However, it could be handled according to other areas of dealings, the details .of which we are not concerned with right now

?Suppose the rented property was damaged; who is going to be held responsible ⁕

If the damage was not brought about by the tenant's negligence or his deliberate – .action, he should not be held responsible

?What are the rules on leasing a vehicle ⁕

The two parties to the agreement must make clear the avenues of using the vehicle. – That is, if it was for passengers, for transporting goods, or for both; in short, you have .to determine the object of use

Suppose a van was hired to transport unslaughtered carcasses destined for non- ⁕ ?Muslims. Would the ijarah still be valid

Didn't I mention to you earlier that renting a place to sell alcoholic drink was not – .[allowed. [By the same token, the case of the van is not allowed

An agent was authorized to hire workers for a specified wage. What if the agent ⁕ ?hired the workers for less

It is haraam for the agent to pocket the difference. He has to return the extra – .money to the owner

The owner of a property hired a decorator to redecorate his house, setting the ⁕ specifications and the colour of the paint. The painter chose, without consulting the owner, to carry out the job using a different colour. Would the terms of ijarah still be ?valid

.The decorator shall not be entitled to a wage –

Could you tell me about key ⁕

?money, or premium

:Key money or premium is of different types -

Some of which is an agreement between the landlord and the tenant, stipulating that the landlord receives a specified sum of money in return for giving the right of use of the property after the lapse of the duration of lease, for an annual premium or that .which is equivalent to the annual rent that is generally accepted

If the deal is so concluded, the tenant shall have the right to keep possession of the property, after the completion of the duration of ijarah in exchange for the agreed sum. He also has the right to sublet the property to a third party for an agreed .premium. It is not necessary for him to obtain the permission of the landlord

Suppose a person gave another a free gift, should there be, from a shari'a * ?perspective, any conditions attached

Yes, the party who gives the gift should be adult, sane, intent on giving the present of his own accord, not coerced, and should not be legally incompetent. If this was the case, the gift given shall be valid. The same goes for a gift made by a terminally ill person. After his death, it can be granted, but by a ratio not exceeding the third. If, however, more was decided to be given away, the approval of the heirs must be .sought

Giving away a gift is a kind of contractual obligation. It requires an offer and acceptance. However, it suffices to carry out

by word or deed. It also requires taking possession, by the recipient, of the thing given .by way of gift, if it was not already in his possession

?What if the gift was not with the recipient, i.e. it was still with the donor *

The gift remains among the possessions of the owner until the recipient takes - .possession thereof during the lifetime of the donor

?How can one take ownership of, say, a house that was donated *

If the donor parts with the property by vacating it and handing it over to the - .recipient of the gift, this is deemed legally valid

In the event of the death of the donor or the recipient before the actual process of * ?handing over and receiving of the gift, what will happen

The granting of the gift can no longer be sustained; it would be rendered invalid and - .the thing intended for granting reverts to the heirs of the giver

?If I find lost property, what should I do with it *

:You could deal with it according to the following -

Should there be no indication as to the owner's identity, making it difficult to trace .۱ .them, you may keep the find for your self

If the object found bears an identification of the owner, and it is less than Dirham .۲ Shar'i (۱۲.۶ chickpeas of minted silver, i.e. ۲.۴۱۹ gms) in value, you should not trace the owner. [However, you cannot keep it for yourself either. Rather, you give it away to the poor

.[by way of charity

If the article found bears the details of the owner and that it is one Dirham or more .٣ in value, every attempt should be made to trace the owner, by way of public announcement, and hand it back to them. If all attempts came to nothing, and one year had passed from the date the object was found in the precinct of Mekkah, [it should be given in charity on behalf of its anonymous owner]. If it was found in any other place, the person who found it can choose between either keeping it safe for the owner, and can make use of it, or give it away as charity on behalf of the owner. .[[They cannot, though, assume ownership of the asset at all circumstances

?Suppose the thing found was a collection of currency ❊

If you can trace the owner through certain characteristics of those currencies, their – numbers, particular time or place, they should be publicly announced to try to trace .the owner

?If someone claimed that they belong to them ❊

If they are known to be truthful, they should get back what they lost . If, however, – the manner in which they gave a description of the currency leads to gaining your .trust, you should give them back what is rightfully theirs

You mentioned the word "trust". Should they not attain your trust that they were ❊ ?genuine in what they claimed, would it suffice to part with what you have found

Making an assumption –

.about the claimant is not sufficient to give away the article found

This was the injunction regarding articles found. What is the position of a person ⁕ ?who confiscates the possessions of others through aggression and usurpation

Usurpation is among cardinal sins. He who usurps other people's property will be - chastised severely on the Day of Judgement. The Messenger of God, Mohammad (s.a.w.) said, "He who usurped an inch of land, Allah shall, on the Day of Judgement, ".throw a ring, whose weight is akin to that of seven globes, around his neck

.The usurper should return to the victim all that was unlawfully taken away from them

If the usurped property was returned to its lawful owner, would this absolve the ⁕ ?perpetrator from the guilt

No, he should be penalized by forcing him to pay rent for the use of the property for - .the period it was at his disposal

?Is this so, even though the usurper did not live in the property ⁕

Yes, he should be made to pay compensation to the rightful owners, because he - caused them financial damage by debarring them from making use of their property. .Thus, the usurper should be held liable

Suppose someone usurped a plot of arable land; he then cultivated it. What would ⁕ ?the position be

The usurper must remove his plantation immediately. He should pay compensation - to the owner of the land, equivalent to the part he cultivated. If, however, the removal ,of plantation caused depreciation in the price of the land

the usurper should be made to compensate the owner pro rata. This should be the case, if the usurper did not reach a settlement with the owner of the land to keep possession temporarily for a rent or for free.

* If the thing that was unlawfully acquired was inadvertently damaged in the process of usurpation, who will be held responsible?

- The usurper should compensate the owner the equivalent value of the property that was unlawfully seized, and an estimated sum of money for all the returns that could have been made had the usurped property remained in the ownership of the lawful owner.

* How is the compensation amount calculated?

- That which is usurped may fall into two categories:

۱. Nonfungible things, or that which cannot be replaced (qeemi). It is that which has no exact attributes, such as cattle and sheep. The owner must be compensated the value of this type of livestock at the time they were killed.

۲. Fungible (or replaceable things). This is the type of, say, produce that the usurper can pay back in kind, such as wheat and barley, provided that the compensated amount equates with the seized one in weight and quality.

* Should an unlawfully seized property be taken away by a second usurper and damaged in the process, who should be liable?

- The rightful owner can demand either usurper to hand it back in kind or the value thereof as the case may be. However, the second usurper has no right to go back to

.the first usurper

If it came to the knowledge of the owner that his property was with the usurper, ⁕ ?what should he do

He has the right to repossess it by force if need be. Moreover, if he lays his hands on – a property that belongs to the usurper, he can take it away in replacement of the .usurped property, provided that it was of the same value

Should the value of articles taken away from the usurper be more, what should the ⁕ ?owner do

It is permissible for the owner to take a portion that is equivalent to the property – .that was unlawfully seized from him

?Before you wind up today's dialogue, can I make an observation ⁕

.By all means –

.Very often, I notice that you give money in charity ⁕

Yes, but how come you have noticed that, for when I give sadaqah I do it discreetly – so that I am not seen by others. That is because it is more meritorious when voluntary .sadaqah is given in secret, rather than in public

?What is the aim behind giving charity ⁕

.The main objective should be carrying favour to Allah, the Exalted –

?Does it have a set time ⁕

No, but it is mustahab that you give it away early in the day, for this would drive – away the evils of that day. And paying it during the early evening would drive away .the evils of that night

Giving sadaqah is rated among the most meritorious deeds. Tradition abounds with narrations, encouraging

the faithful to do it very often, so long as they can afford it. Giving sadaqah may contribute to alleviating sickness, driving away tribulations, increasing sustenance, .repaying debt, and it is an all round enrichment to one's means

However, notwithstanding all these merits, looking after one's family and kin remains a superior deed. And giving sadaqah to a needy relative who shows enmity towards you is more commendable than giving it to another relative who does not. Far .superior still is lending money

Dialogue on slaughtering and hunting

This discussion on "slaughter" completely changed my views. The word slaughter sounded cruel and I did no realize that Islamic teachings showed such consideration .to animals

:My father said

First and foremost, the person who is slaughtering the animal should take every - care to lead the animal gently to the slaughter house. He should let the animal take its fill of water before the actual slaughtering. The animal should not be shown the blade with which it is going to be slaughtered. The blade must be very sharp. It must be used very quickly to slaughter the animal to ensure it is not tortured but brought to a quick death. It is advisable that the slaughtered animal is not moved from the place of .slaughter until it is dead

It is makrouh to carry out the slaughtering of an animal in the sight of other animals of the same kind. It is also makrouh for the person who has reared the animal to kill it .with his own hands

Among makrouh acts too is skinning the animal while its soul has not yet parted with .its body

To substantiate what he has said, my father quoted the Prophet (s.a.w.) as saying, "Allah, the Most High, has ordained the performance of good deeds in every thing. If you intend to kill an animal, let it be a quick death; if you intend to slaughter an animal, ."let it be done kindly: sharpen your blade, and put the animal at ease

* .Yet, father, I do not know how to slaughter animals

- If you want to do it, you have to sever the four tracts (awdaj), which are found beneath the projection of cartilage at the front of the neck. Those are the .oesophagus, the wind pipe, and the two jugular veins

* ?Could you explain more

- Professional slaughterers say that the proof of cutting those four tracts is that you should see the throat (jawzah) attached to the head of the animal. If not, it can be said .slaughtering was not properly carried out

* So, this means that when slaughtering the animal, I should start cutting from below .the throat

- .Precisely, so that the throat and neck are part of the head and not part of the body

* Suppose I made a mistake and realized that I severed the head leaving the throat with the rest of the body, while the animal was not yet dead, can I rectify the situation ?by cutting below the throat

- .Yes, you may do that

Slaughtering camels is

unique, in that you should let the tool of slaughtering, be it a knife or a spear pierce .the upper part of the chest, of the animal, where it meets the neck

Now that you know how to slaughter animals, you should get to know the conditions that should be fulfilled to ensure that the meat of the slaughtered animal is halal to :consume. These are

The person who carries out the killing must be Muslim, irrespective whether it is a .١ man, a woman, or a boy capable of rational action. The meat of an animal slaughtered by the unbeliever [and even the people of the book, although they might utter the .basmallah] is not halal

The tool with which the slaughtering is carried out should be made of iron. If this is .٢ not available, you can use any other tool made of any other metal, glass, or .sharpened stone that is capable of cutting the four tracts

?What about knives made of stainless steel *

They contain traces of chrome that makes it rather problematic to use in - .slaughtering animals

The animal intended for the slaughter should be set to face the direction of qiblah at .٣ the time of slaughtering. This is irrespective of whether it is standing or lying down. If .the animal is laid down, its throat and belly should be turned towards qiblah

Suppose, the animal was not made to face the qiblah at the moment of slaughtering, * ?what will the consequences be

,If it was done deliberately -

.it will be rendered haraam

?And if it was done inadvertently ⁕

Should this be due to a mistake, forgetfulness, or ignorance of the condition, its – .meat should be halal to eat

The name of Allah must be uttered by the person carrying out the killing, be it at the .۴ .start of the process or slightly before it, so long as there is continuity

?What should I say ⁕

."It suffices to say any of these phrases, "Bismillah, Allahu Akbar, or Al hamdu Lillah –

?What if the slaughterer forgot to do the utterance ⁕

.The slaughtering shall still be valid –

I notice some butchers sever the head of the animal when slaughtering. Is it all ⁕ ?right

You should advise them [not to do it, because they are bound to sever the spinal – .[cord before it (the animal) is completely dead

The blood should spill out. The meat is not halal, if blood is not let out. Nor is it halal, .۵ if only a very small quantity of blood disproportionate to the size of the animal is let out. If, however, the scarcity of bleeding was due to a wound received before the .killing, there is no harm in that

These are the conditions that should be met when slaughtering animals. However, if we were not sure that the animal we slaughtered was alive, it is imperative, besides, to monitor the killed animal for any signs of life, such as a movement in the tail, a twinkle in the eye, or a twitch. This is

.to ensure that it is halal to eat

Earlier on you mentioned that camels should be killed according to a particular way. ⁕ ?Are there any special conditions to render their meat halal

It is imperative that the butcher satisfies the conditions already discussed. As for the – tool of killing, the same conditions apply. Facing the qiblah with the intended kill is .necessary. So are the utterance, life, and the letting of blood

?What about the babies of pregnant animals that are slaughtered ⁕

If it was delivered alive, the same rules that apply to the mother apply to the baby. It – .should be ritually slaughtered according to its kind

?What if it was found dead ⁕

If the animal was slaughtered according to the rules already discussed and the – embryo was full-blown, i.e. with hair, wool, or fur covering its body, it is halal to eat. It is not permissible, though, to delay extracting the foetus from its mother's womb. Opening up the mother's abdomen and taking the foetus out is paramount. Any delay .that might result in causing the foetus to die, would render its meat haraam to eat

What about a foetus whose mother was pronounced dead before it was ⁕ ?slaughtered? Is its meat lawful to eat

.Meat of such a foetus is haraam to consume –

However, if all the conditions already discussed were met when slaughtering the animal, we can say that such an animal is slaughtered, according to Islamic shari'a .law

Insofar as meat is concerned, animals are of three

:types

Some whose meat you can eat, such as sheep, cow, and goat. Meat of the second category cannot be consumed, such as lion, tiger, fox, eagle, and some subterranean .animals. Meat of the third category of animals is inherently najis, such as dog and pig

A sacrifice can be made of any animal whose meat is edible. Once it is sacrificed its meat becomes halal to eat. It cannot be carried out on animals that are najis, which .cannot be rendered tahir, such as dog and pig

What about the second category of animals, whose meat cannot be eaten, such as ⁕ ?fox, lion, and eagle

They can be sacrificed apart from subterranean animals. Once they are killed, their – meat and hide are rendered tahir. Their hide, that has been made tahir as a result of ritual slaughter, can be used in any form, including using it as a container for ghee or .water

What is the ruling in the matter of the meat or hide of an animal sold by Muslims, ⁕ ?especially, when it is not known it was ritually slaughtered

You should assume that it was ceremonially slaughtered, unless you have proof to – .the contrary

More than that, if the meat came into the hands of a Muslim vendor from an unbeliever, and there was a possibility that the latter slaughtered it, you should also .assume it to be halal. That is, unless you are satisfied to the contrary

However, if you know that the Muslim bought it from an unbeliever

without making sure it was ceremonially slaughtered, and there is a possibility that it was, you may assume it is tahir. Yet, you are not permitted to eat the meat. The same .ruling applies to all that which is taken directly from an unbeliever

What about Muslims, who follow other schools of fiqh, who deal in such meat and ⁕ ?leather

Irrespective of their denominations, all Muslims are treated the same in this case, – .i.e. you should assume that the animal was ritually slaughtered

Maybe, some Muslim schools of thought do not uphold certain conditions of halal ⁕ slaughter you mentioned, such as facing the direction of the qiblah when slaughtering the animal, or not saying the utterance. Can I still deem the meat and leather ?products of such an animal halal

As long as the vendor presents it as ceremonially slaughtered, and there is a – possibility that it was, you should assume it is halal. Even if you were absolutely certain that they did not uphold the condition pertaining to the qibla, you can still consider the slaughter halal, provided that, according to the slaughterer's tenets, .fulfilling such a condition was not necessary

?And what is the ruling on animals killed in fully automated abattoir ⁕

So long as the conditions of slaughtering are adhered to, it is halal to consume. In – that a) the operator who is charged with handling the blade, or pressing the button that operates the blade, should ensure that the animal was positioned in the direction of

the qiblah, that b) the utterance was made, and that c) the rest of the conditions were .fulfilled, the meat of the animal, slaughtered in this way, is halal

Having covered the slaughtering of animals like sheep and cattle, could you now tell ❊ ?me about fish. Do we have to follow the same procedure

Killing fish is different from slaughtering of the animals we have discussed. As long – as the fish was still alive when you caught it, irrespective of the way it was caught, it .should be deemed ceremonially killed

Suppose a fish jumped out of the water and it was not caught until it perished, would ❊ ?it still be halal to eat

.It is not halal to eat –

?"What about the condition of uttering, "Bismillah ❊

.You are not required to carry out this condition –

?In this case, even if an unbeliever was the one who caught the fish, can I still eat it ❊

.Yes, it is permissible to eat –

If the fishmonger was Muslim, and I do not know whether he caught the fish while it ❊ ?was still alive, can I deem it halal to consume

You should assume that, so long as the fish the Muslim fishmonger sells satisfy the – .requirements of the shari'a

Should this be the case, if the fishmonger was non-Muslim, and I was not certain ❊ ?whether the fish he sells were caught alive

You should assume it was dead. Moreover, even if such fishmonger tells you that it – was all right to

consume, you should not eat them, unless you were satisfied that the fish were caught while they were alive, irrespective of the method of catching, such as in a net .or from a fish farm

Suppose a fisherman caught the fish by installing a net, waiting for the ebb to take ٭ place, and when the net was left high and dry, a number of fish was trapped and ?found dead. Would it still be deemed halal

.Yes, you can eat it –

What about modern methods of fishing, such as by trawlers, using huge nets ٭ extending miles; and the types of net that scoop fish, were many fish are already ?dead in the net due to either the weight of the catch or other reasons

.Fish caught in this way can be eaten –

Sometimes fish are taken out of water, then they are cut or hit on the head before ٭ .they are cooked or grilled

You are allowed to eat such fish, because it is not conditional that the fish dies – .unaided

?Do I need to wash away the blood that resulted from killing it ٭

.Fish blood is tahir –

This has been the ruling on fish. What about hunting wild animals, such as gazelle, ٭ ?with a rifle

.There are conditions that should be fulfilled in rendering the kill halal –

:Among these are

The hunter, including the discerning boy, must be Muslim, as outlined in the .١ .conditions of slaughtering already discussed

He should be intent on hunting; that is, if he was to .٢

shoot and kill an animal by mistake, the kill is not halal to eat. Nor is the use of any part .of its carcass

Before using the hunting weapon or at the moment of firing, the hunter should .۳ ."utter, "Allahu Akbar", or "Bismillah", or "Alhamdu Lillah

The hunter must rush to his kill to slaughter it. Had he found it dead, then it is halal. .۴ If, however, there was not enough time to do the slaughtering, it would still be halal. Coversely, if the hunter got to the place where the animal fell, and there was enough .time to slaughter it, but did not hasten to kill it until it was dead, it will not be halal

In hunting with a rifle, the aim should be to shoot the animal and ensure that the .۵ bullet penetrates the body, so much so that the cause of its death be the actual .shooting and penetration

What if the wild animal, whose meat is halal to eat, was hunted and captured by a .* ?dog

:It shall be tahir and its meat is halal, provided the following conditions are met -

.a. The dog should have been trained for hunting and in obeying instructions

.b. The dog should be sent to carry the task out by its owner, i.e. not of its own accord

.c. The handler, or owner, of the dog must be Muslim

d. When the dog is set forth, the handler must utter the name of Allah, as previously .explained

e. The cause of death of the

captured animal must be due to the wounds inflicted by the hunting dog, and not due .to strangulation, or exhausting it through chasing

f. The handler, or owner, of the dog must rush to the animal to slaughter it, should there be ample time to do so. If, however, he found it dead or at the brink of death and there was not sufficient time to perform the slaughtering, it is halal. If there was .ample time to slaughter it, but he hesitated until it perished, it shall not be halal

?If hunting was done by, say, a falcon or a leopard ⁕

The kill shall not be halal to eat. Only hunting by trained dogs is halal. You should also – remember that the place of the bite in the carcass is najis and must be washed. Eating .is not permissible before the carcass is washed

What if a falcon captured an animal, and that it was still alive when the owner ⁕ ?arrived at the scene to slaughter it

It is halal to eat, if it is from that which is permitted to consume, provided that the – handler of the bird slaughters the hunted animal according to the conditions outlined .earlier on

I have noticed that you sometimes use phrases like, "Meat of animals that are halal ⁕ to eat", or "That which is not allowed to be eaten". Are there any animals whose meat ?cannot be eaten at all

Yes, here are some of those animals whose meat is halal to –

:eat and others whose meat is not

Among land animals, that are halal to eat, are: chicken, sheep, cow, camel, horse, .mule, gazelle, donkey, antelope, wild cow, and zebra

.It is makrouh, though, not haraam to eat meat of domestic horse, mule, and donkey

.It is haraam to eat meat of carnivorous animals, that have claws, such as lion and fox

It is haraam to eat the meat of rabbit, elephant, bear, monkey, jerboa, mouse, snake, .hedgehog, and crawling animals and insects

Going back to the classification of animals that can or cannot be eaten, I feel that the .subject shall not be complete without discussing marine animals

.You can eat all species of fish, provided that they have scales

.It is haraam, however, to eat dead floating ones

Among marine animals and amphibians that are haraam to eat are cat fish, tortoise, .frog, and lobster

* ?What about prawns

– .They are halal to eat, for scales cover their skin

Among birds, that are halal to eat, are pigeon of all species, sparrow, swallow, .pheasant, nightingale, ostrich, peacock, etc

It is haraam to eat meat of crow, of all kinds; so are wasps and other flying insects,] .[apart from locust

Haraam too is the meat of all birds of prey, i.e. that have talons, such as falcon, hawk, and eagle. So is the meat of any bird that, during flying, glides more than flaps its .wings

* ?What if I do not know the way it flies

The criterion to be followed in this case is that the bird should be –

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among those birds whose meat is halal to eat. Among the indicators that may identify it as being halal is that it should have one, or more, of three organs - a craw, a spur, or .a gizzard

I have noticed that some butchers extract certain parts from the carcass and throw ⁕ .them away

:That is right. The parts of the carcass that are forbidden to eat are -

Blood, dung, reproductive organs, placenta, glands of all kinds, testicles, bone marrow, gall bladder, spleen, bladder, eyes, [and the two nerves extending from the .[neck alongside the spine to the tail

Those are the parts of animal carcasses that should be avoided. As for birds, blood and droppings are haraam, [beside those parts of animal carcasses mentioned .[earlier, if they were present

If I may, could you, firstly, tell me whether there are other forbidden things, apart ⁕ from those we have already discussed? And secondly, are there mustahab acts ?relating to food and drink

:With a smile, my father said

Concerning the first part of the question, yes there are things that are haraam to :consume, especially two things

It is forbidden to drink alcohol and other intoxicants, including beer. The Holy Qur'an .١ ,spelt that out unequivocally

O you who believe! intoxicants and games of chance and (sacrificing to) stones set up" and (dividing by) arrows are only an uncleanness, the Satan's work; shun it therefore .(that you may be successful". (۵/۹۰

Also, a tradition from Imam Ja'far as-Sadiq (a.s.) has it, "Alcohol is

… the mother of wickedness and the spearhead of every evil deed.”

It is forbidden to eat on a table on which intoxicants are served; [rather, sharing such a table is haraam].

۲. It is haraam to consume all that which could endanger one’s health, and may lead to death, such as taking poison.

As for the second part of your question, mustahab acts pertaining to eating and drinking are numerous; however here are some of them:

۱. Washing both hands before and after eating, and ensuring that they are dried.

۲. Uttering the basmalah once you start eating.

۳. Eating in small morsels.

۴. Food must be thoroughly chewed.

۵. Prolonging meal time.

۶. Starting and concluding the meal with salt.

۷. Washing fruits and vegetables thoroughly before eating.

۸. Do not eat while you are still full.

۹. Do not eat very hot food.

۱۰. Do not blow, or exhale, in food or drink.

۱۱. Try not to skin fruits that are intended to be eaten with their skin.

۱۲. Finish eating what you have started.

۱۳. Do not attempt to look people in the face while they are eating.

۱۴. The host should start before the guests and finish after they have finished.

.Do not drink water with fatty food .۱۵

Eat from the plate, or place, nearer to you, i.e. not from those placed in front of .۱۶ .other people

.Do not over eat .۱۷

.Using the right hand, for those who are not left-handed, in eating .۱۸

Dialogue on Marriage

Our neighbour, Hussain has invited us to attend the wedding party of his son, Ali. It will take

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place at five o’clock in the afternoon of this coming Friday. We shall be with them on .this happy occasion

But Ali is still in the prime of his youth. He is only twenty years old. It is not yet time ⁕ !for him to get married

Do I hear that you say it is not time for him to marry! He is as you very young and – active mentally and physically. Because his sexual urge is strong, he needs to be able to satisfy it. Marriage at an early age is the best defence against falling prey to that ;which is sinful. That is because man’s soul is bent on temptation

And I do not declare myself innocent, most surely (man’s) self is wont to command“ (him to do) evil, except such as my Lord has had mercy on, surely my Lord is Forgiving, .(Merciful”, declares The Almighty. (۱۲/۵۳

I must admit that the moment my father started talking about man’s sexual urge, I felt embarrassed. Young people at my age feel constrained when it comes to .discussing these matters, although we need to discuss them

:When my father saw me blush, he remarked

?Are you embarrassed –

.Yes, for talking about sex is not an easy subject ⁕

?And talking of sexual drive is embarrassing. Isn’t it –

.Yes ⁕

Yet, it is a biological need which every ordinary man and women feels the urge to – .satisfy, in the same way hunger and thirst are satisfied

.Nevertheless, Ali is still young ⁕

,At a certain stage –

.man must get married

* ?Do you mean it is a requirement of the shari'a law

- Yes, to marry is obligatory for people, whose sexual desire could lead them to .committing that which is haraam

* .So, Ali was courageous enough to decide to marry, while still at a tender age

- Brave, and principled. He decided to enter into holy matrimony to ward off temptations and satisfy his sexual desire. For him, it was a matter of principle, because his firmness could have been undermined and he could have been tempted .into wrong doing

For such unsettling experience, Ali preferred to face the problem head on and approach his father, expressing an interest in marriage, and acting upon the Prophetic saying, "He who gets married shall safeguard half of his religion; so he must ."fear Allah in the remaining half

,Furthermore, marriage is one of the acts that are loved by God Almighty

And one of His signs is that He created mates for you from yourselves that you may" find rest in them, and He instilled in you love and compassion for one another; most .(surely there are signs in this for a people who reflect". (۳۰/۲۱

O people! be careful of (your duty to) your Lord, Who created you from a single being" and created its mate of the same (kind) and spread, from these two, many men and .(women ..". (۴/۱

Traditions extolling the virtue and merit of marriage abound. The Prophet (s.a.w.) was quoted as saying, "Get married and encourage (your

sons and daughters) to marry". It has also been narrated from Imam Mohammad al-Baqir (a.s.) thus, "There has not been created any institution in Islam which is more favoured and dearer to Allah than wedlock". And Imam Mousa al-Kadhim (a.s.) had this to say, "Three (types) of people shall find refuge in the shade of the Creator's Throne on the Day of Judgement where there shall be no shade but His: A man who took it upon himself to set up his brother in matrimony, a person who did his brethren .”a service, and a third who did not breach the trust placed in him by others

There are more such hadiths that, beside urging men and women to get married, .stress the revulsion for staying celibate

?”Do I hear that you said, “Men and women *

Yes, it is makrouh (a repulsive or repugnant act) for both men and woman not to - enter into matrimony. There are scores of traditions, or hadiths, that urge women to marry. Imam Abu Abdullah (a.s.) said, "The Messenger of God Almighty (s.a.w.) forbade women from becoming recluses so that they shun marriage". And, "It is .”blissful not to delay the marriage of women

So, marrying at an early age is a good thing to do. Yet, father, the cost of marriage * .nowadays is enormous

Maybe, but Islam calls upon us to avoid being extravagant in marriage - .arrangements

And what about the staggering sums of dowry the families of some would-be brides * ?ask for

It is -

mustahab to ask for small dowries, and it is makrouh to demand a big dowry. The Prophet (s.a.w) said, "The best among the women of my umma (Islamic community) ."are those who have brighter faces and smaller dowries

It is worth noting, however, that our Prophet (s.a.w.) gave his daughter, Fatima in .marriage to Imam Ali (a.s.) for a small dowry - a coat of arms

What about a person who does not have a job or a regular income to sustain a * ?family

,Allah, the Most High, said in His Holy Book -

And marry those among you who are single and those who are fit among your male" slaves and your female slaves; if they are needy, Allah will make them free from want .(out of His grace; and Allah is Ample-giving, Knowing". (۲۴/۳۲

In a commentary on this verse, Imam Ja'far as-Sadiq (a.s.) said, "Whomsoever steered clear of the road of matrimony for fear of bearing the extra burden of starting a family, he has thought badly of Allah, for He said, "Allah will make them free from ."want out of His grace

There is the problem, that has been created by some some families of would-be * brides who make it difficult for prospective husbands. They spoil the chances of their daughters getting married by setting unatainable targets. They seek to appraise the suitability of the bridegroom against certain criterion that they deem befitting to their daughters. The result is that many a woman are left unmarried. This attitude, ,however

.is not new

It has been narrated that Imam Mohammad al-Baqir (a.s.) received a letter from Ali - bin Asbat, in which he asked him for advice on how best he could give his daughters in marriage, because he could not find the right men for them. This was the Imam's reply, "I took note of your letter regarding the situation of your daughters. Do not dwell on your idea, May Allah have mercy on you, because the Messenger of Allah (s.a.w.) said: Whoever approached you with the intention of marrying, you should look at their character and piety. If these were acceptable, go ahead and give your women in marriage to them. Should you refrain from that, there shall be discord in the land ."and great immorality

At this point, my father left me to my thoughts, pondering the array of harmful social * practices that our society has evolved. Such adverse social customs have nothing to do with Islam and its injunctions that recognize, above all, good ethical standards as .prerequisites for choosing a husband or a wife

.Soon it was time for my father and I to go to Ali's wedding party

The atmosphere was full of joy and happiness; people were clad in beautiful clothes, .and bouquets of flowers adorned the tables

An alim was there to conduct the marriage ceremony. There was a dignified silence, only to be broken by his voice of addressing the bride, on the other side of a screen. He was asking for her agreement to

act as her proxy in entering into the marriage contract. After reciting few verses from the Holy Qur'an and narrating Prophetic hadiths, appropriate to the occasion, he said to the bride, "Do you agree, O Fatima! that I represent you and declare you wife of Ali, son of Mohammad for a dowry of five hundred Dirhams? If you agree, say: You be my attorney". With a faint voice, revealing some diffidence, Fatima replied: You be my .attorney

No sooner had she uttered the sentence, the sound of cheering erupted. The smiles of .people were everywhere

The alim then approached Ali and announced, "I wed you Fatima, daughter of Ahmed for a dowry of five hundred Dirhams in cash". Thereupon, Ali responded, "I Accepted ."the marriage

?However, why is the dowry so small ⁕

.This is the dowry set by the Prophet (s.a.w.), i.e. five hundred silver dirhams then -

Has Fatima the right to enter into the marriage contract without a third party, i.e. ⁕ ?without someone to officiate

Yes, either or both parties to the contract can enter into the marriage directly, i.e. - without appointing agents; it is preferable, though, that the formula of "assent and .acceptance" is adhered to

?How ⁕

It is, for example, when the woman says, "I give you myself in matrimony". The man - ."should say, "I accepted the marriage

.This is the case in a permanent marriage

?Is there another form of marriage that is not permanent ⁕

Yes, there is the fixed-term marriage where a duration and a dowry for the -

marriage are fixed. As for the duration, it should not exceed the age of either party to .the marriage contract

In common with permanent marriage, man and woman can enter into the marriage contract themselves or through proxies. If both decide to enter into the contract themselves, the form of words used by the woman should be, “I give you myself in marriage for (x days, months, years) for a dowry of (x dirhams)”. The man should .”respond immediately, i.e. without hesitation or pause, “I accepted the marriage

* ?Does this mean that they become man and wife

- Yes, except that they do not inherit one another, that the husband is not obliged to maintain the wife, and that he is free not to stay overnight with her. Should the duration of marriage expire, the woman should no longer be halal for the man to have sex with. In permanent marriage, the wife is halal for the man as long as they live, .unless it is terminated by divorce

:However, there are conditions attached to the marriage contract

۱. The verbal proposition of marriage and its acceptance. That is, it is not sufficient for both parties to agree the marriage, be it permanent or fixed-term; nor would the .written contract alone be sufficient to consummate the marriage

۲. The intent to consummate the marriage, be it by the man or wife, if they have .performed the contract rite themselves, or their representative

۳. .The wholehearted agreement of man and wife

۴. Explicitly identifying both the man

and the woman to be wed. Thus, the contract shall not be valid, if, for example, a man said to another, “I give you one of my daughters in marriage.”

٥. [Performing the verbal formula of contract in Arabic, where possible].

۶. The person who conducts the marriage ceremony should be [adult] and sane.

If all these conditions are met, the marriage contract shall be valid and both its parties shall be man and wife with immediate effect.

❋ Immediately, even before the wedding party is over?

- Yes, when the contract is complete, both parties become man and wife.

However, you should know that the validity of the marriage of a sane adult virgin woman is subject to the permission of her father or paternal grandfather [even if she was independent].

❋ What about a non-virgin woman?

- She would have independent decision over her marriage.

❋ If a man married a woman on the presumption that she was virgin, but discovered afterwards that she was not, has he the right to annul the marriage contract?

- Yes, he has the right to deem the contract null and void.

❋ Should he decide to waive his right, what would the alternative be?

- He should be able to receive the difference in dowry between that of a virgin and non-virgin woman.

❋ Has the man the right to marry any woman he likes?

- Yes, he has such a right, except for certain categories of woman whom he cannot marry for they are forbidden due to blood relationship. These are:

١. Mother and paternal

.grandmother

.Daughter and his son’s daughters .۲

.Sister, her daughters and their daughters .۳

.Brother’s daughters and their daughters .۴

.Paternal and maternal aunts .۵

Mother-in-laws and their paternal and maternal grandmothers, that is even the .۶ .marriage was not consummated

.Step daughter of a marriage that was consummated .۷

.Step mother and step grandmother .۸

.Daughter-in-law and the wife of a grandson .۹

Sister-in-law, at the lifetime of his wife, for it is forbidden to marry two sisters at .۱۰ .the same time

Nursing mother and her daughters by birth and otherwise, who are forbidden to .۱۱ .him because of lineage, since the principle of prohibition is one

It is also forbidden for the natural father of the suckling infant to marry the natural daughters of the nursing mother [and the daughters of the man whose milk they shared, be they blood related or by way of suckling]. It is to be noted, however, that not every type of breast feeding necessarily leads to prohibition of marriage. Some of the parameters that render breast feeding a source of forbidding marriage are as :follows

a. The suckling must be administered directly from the breast of the woman, i.e. it is .not of a consequence, if the woman’s milk was fed to the baby by a feeding bottle

b. The suckling child should be less than two years old. Breast feeding a child over two .years old is irrelevant

c. The suckling should contribute to the child's flesh building and bone strengthening. "If, however, this is unclear, breast feeding of a "full day and night

or “fifteen suckling sessions” would be considered to have contributed to breast feeding. If the matter can not be resolved, by applying these limits, ihtiyat should be .observed

It is to be noted, though, that in applying the time limit of “one full day and night”, no other source of feeding, apart from the woman’s milk, must be given during that time. Should the child be prevented from breast feeding for part of the time, or was given milk from another woman or other food, the principle would not apply. [It is important that the suckling child is hungry from the outset, so that he takes its fill, and is .[contented by its feeding

The fifteen sessions of breast feeding, should form an uniterupted sequence by one .woman. Each suckling session should be complete, in that the baby should take its fill

.There are more rules regarding breast feeding detailed in jurisprudence books

If a man married according to the dictates of the sacred shari’a law, what should he * ?expect from his wife

- ,Allah The Most High, says in His Holy Book

Your wives are a tilth for you, so go into your tilth when you like, and do good“ (beforehand for yourselves …” (۲/۲۲۳

A man can lawfully have sexual intercourse with his wife. That is, she must not prevent him from doing so, except where there is a valid reason preventing that. It is forbidden for the wife of a permanent marriage to go out without her husband’s .permission

A husband should provide

maintenance for his wife, by permanent marriage, be it food, clothes, or .accommodation commensurate to his income and lifestyle

He is not permitted to refrain from having sex with his wife for more than four months, unless she allows it, or there is a valid reason that could entail harm or an .untenable situation. This prohibition is even more rigorous, if the wife is young

* ?What would happen if the husband did not provide maintenance for his wife

- He shall be indebted with the cost of maintenance. If he insisted on withholding it, despite her demand, she is permitted to take it out of his property, even without his .knowledge

:There are, however, other rules that are designed to uphold the moral code

١. It is forbidden, for any man or woman, who are not married to each other, to look or touch one another with sexual desire and satisfaction; this also applies to children. It is also haraam for people of the same sex, to do this to one another, if they are men, .women, or children

٢. Apart from husband and wife, it is forbidden to look at the private parts of other .[people, male and female [including discerning children

٣. It is forbidden for a man to look at the body and hair of a woman to whom he is not married. It is permissible, though, to look at her face and hands, provided that the manner of looking does not arouse sexual desire. Likewise, the woman is not allowed to look

at a man to whom she is not married, except for his head, hands, and feet, provided .that this does not arouse sexual desire

Apart from the private parts, and without sexual desire, men and women can look .۴ at the bodies of their counterparts. Likewise, with the exclusion of private parts and barring sexual gratification, men and woman can look at the bodies of their maharim. Accordingly, one can look at the body of one's mother, sister, aunt, niece, and .grandmother

?What about looking at one's sister-in-law, and paternal and maternal cousins ⁕

No, it is not permissible to look at them, because they do not fall within the same - .category of maharim, i.e. they are alien to him

The woman must cover her hair and body because they are forbidden to be . ۵ exposed to the gazes of men [including the boy who is capable of rational action, if such exposure could arouse his sexual desire]. The face and hands are excluded from this restriction, provided she was sure of not committing a sinful act, and that exposing such parts of the body is done with the aim of enticing men into malicious .looking

If a man was committed to marrying a particular woman, he is permitted to look at .۶ those parts of her body such as face, hair, neck, hands, wrists, and legs, but without .sexual desire

A male physician is permitted to look and touch a patient woman's body, if the . ۷ treatment calls for it. This is so, if

the woman was forced to seek treatment with a male physician, because he was more capable of administering better treatment than a female physician. Conversely, she should seek treatment with a woman doctor.

٨. A Muslim man is allowed to marry a Christian or a Jewish woman on a temporary basis.

※ That is despite her not being Muslim nor a believer, and her not believing in the permissibility of temporary marriage?

- Nevertheless, marrying her on such basis is allowed.

٩. A man is not permitted to marry more than four women by way of permanent marriage. He also has the right to divorce his wives.

Dialogue on divorce

Allah Almighty hates divorce. Traditions discouraging divorce abound. It has been narrated from Imam Ja'far as-Sadiq (a.s.), "There is nothing more hateful to Allah, the Exalted, than divorce". The Imam (a.s.) was also quoted as saying, "Marry and do not divorce your wives, for divorce causes the Throne to rock."

※ Is it that abhorrent?

- Yes, and to keep abreast with the rules of divorce, I am going to outline the conditions that should be fulfilled so that divorce can be deemed valid.

The party who is filing for divorce must be adult, sane, and have free will. That is, a divorce coming from a boy, the insane, or one who is under duress is invalid.

The intent, by either or both parties, to go their own separate ways. That is, the divorce shall not be in order when it is done in jest, inadvertently, or by someone who

.is not able to discern what it means to divorce one's partner

* ?What is the formal wording of divorce

- Divorce shall not be enforced, unless a particular procedure is followed. The formal wording of divorce should be recited in Arabic, for those who can speak the language, .in the presence of two witnesses of impeccable character

The husband may utter the following, "My wife - mentioning her name - is hereby divorced". If she is present, he could say to her, "You are divorced". If there is a proxy acting on behalf of the husband, he could say, "The wife of my mandator - stating her .name - is hereby divorced". There and then, divorce becomes a reality

* ?Is it compulsory to mention the name of the wife

- No, it is not necessary, if she is known, identifiable, and the husband does not have .any other wife beside her

However, divorce cannot be carried out, unless the wife is free from haydh or nifas, except for a wife in a marriage that was not consummated, a pregnant woman, and some cases of absent husbands. The husband is not permitted to divorce his wife, who was tahir of haydh, after having a sexual intercourse with her; he should wait .until she had her next haydh and become tahir thereof. Only then can he divorce her

In a temporary marriage there shall be no divorce. Instead, the expiration of the agreed duration of marriage heralds the end of the relationship. If separation is sought before

the end of the duration of marriage, the husband can grant the wife the remaining period by saying, "I grant you the remaining period."

The validity of granting the remaining period does not warrant the presence of witnesses, nor does it require the woman to be tahir from a haydh or nifas.

A divorced wife who has not attained menopause, after the marriage was consummated, should observe a waiting period from the date the divorce was pronounced, not from the date the news of the divorce was broken to her.

The waiting period for a non-pregnant woman is three menstrual periods. The duration between the divorcee and menstruation is considered one period, irrespective of whether it was short.

* Does this mean that the period of waiting of a divorced woman ends as soon as the third menstruation occurs?

- Yes, that is correct.

* What about the waiting period of a divorced pregnant woman?

- The waiting period of a divorced pregnant woman is the duration of her pregnancy, irrespective of whether it was full, culminating in birth, or premature or still birth.

* Is it the case, even she gave birth to her baby one day after the divorce was announced?

- Yes, even if her giving birth took place one hour after she was divorced, provided that the born baby is the offspring of her ex-husband, i.e. not illegitimate.

* Should the woman, who was a party to a temporary marriage, observe a waiting period, after separating from her husband?

- Yes, if she was adult, of

a menopausal age, not pregnant, and her marriage was consummated, the waiting period is [two menstrual periods], for the woman who still has a period, and forty five .days for her whose period has stopped due to illness or any other reason

As for divorce, which is the prerogative of the husband, it is of two kinds - irrevocable .and revocable

In an irrevocable divorce, the husband may not return to his divorced wife, without a .new marriage contract

In a revocable one, the husband may return to his wife without the need of a new .contract or dowry, so long as she was still in her waiting period

Of the types of irrevocable divorce is (khal'ie), i.e. at the instance of the wife, who must pay a compensation to the husband. It is the case of a wife who is unhappy with her husband, so much so that she resorts to threatening that she will not grant him his matrimonial rights. This khali'e divorce can come about when the wife is determined to end the marriage. She can address the husband thus, "I absolve you of paying my dowry, provided that you part company with me". The husband can reply, in Arabic and in the presence of two witnesses of unblemished character, "My wife, -stating her name- is divorced in return for the compensation she offered", or "X is divorced in .″return for - x - amount

?Do you have to mention the name of the wife here *

.If she was identifiable, i.e -

.being the only wife for instance, you may choose not to mention her name

* Is it all right if the compensation offered to the husband is anything other than the ?dowry

- .Yes, it is in order

* ?Can man and wife appoint proxies to carry out the divorce procedure

- .Yes, they can

* In some cases, the absent husband's whereabouts are not known and it cannot be ?ascertained as to whether he is alive, can the wife divorce him

- The wife has the right of recourse to the Marji'. In such a case he would normally request that every effort should be made to trace the absent husband. This could take the best part of four years. The investigation period may yield nothing of substance regarding the husband's whereabouts or fate. The other course of action, that must be exhausted, is if the husband has any property the marriage can still be salvaged by providing maintenance for the wife. If he has an agent, he should provide for the wife. If neither is forthcoming, the Marji' could instruct the agent to grant her a divorce. In the event of the agent refusing to comply, or the husband having no agent, .the Marji' can pronounce her divorced

* If the husband was imprisoned for life, and thus not in a position to maintain his wife, ?but was insistent on not divorcing her, what will happen

- She could approach the Marji'. He would contact the husband to instruct him to grant .his wife a divorce

Should he choose not comply, and it was not feasible to force him to do so, the Marji' .could pronounce her divorced

Dialogue on votive offering, pledge and oath

A friend of mine complained to me that his mother favoured his younger brother over him. I asked him, "In what way?". He said, "By making a sacrificial offering, as a token of thanksgiving to The Almighty for His grace in restoring the health of my ill brother". I said to him, "Did you ask her why?". He replied, "Yes, she said to me that making a vow for the speedy recovery of my brother does not mean she favoured him over me. She also said that my parents had already slaughtered a sheep for me, by way of aqiqah (meaning will follow) when I was only seven days old and that they sacrificed ."an udhhiyah (meaning will follow) for me

There I stopped him because the words aqiqah and udhhiyah did not make any sense .to me. I promised him to resume talking about it after I had asked my father

* ?What is aqiqah and udhhiyah

Aqiqah, my son, is an authentic sunnah (Prophetic practice, i.e. by word and/or deed), - for those who can afford it. It was enjoined by the Prophet Mohammad (s.a.w). A sheep or a cow is sacrificed on the seventh day after the birth of the infant, male and .female, when his/her hair is cut

It has been related from the Prophet (s.a.w.) that he uttered adhan in the ears of Imam Hassan and

Imam Hussain (a.s.) when they were born and offered a sacrificial animal on the .seventh day after their birth

Those of us whose parents could not afford aqiqah at the time, may do so .themselves

?Well, this is aqiqah. What is udhhiyah ⁕

Udhhiyah is to sacrifice an animal on the day of Eidul Adhha. It is an authentic – sunnah of the Prophet (s.a.w.) too. The meat of the sacrificed animal may be donated .on behalf of the dead and the living, both young and adult. It may be done every year

Now, can I take you back to the tale of my friend and his mother. Is it compulsory ⁕ that the woman fulfils her vow, or is it mustahab, like aqiqah and udhhiyah, the ?practice of which follows the sunnah

.Let may say this to you –

To vow means that you commit yourself to doing a particular thing, or forsake a .particular deed or word, for the sake of Allah, the Most High

.Fulfilling a vow is not always viable, unless certain criteria are met

?What are these criteria ⁕

:These are –

The wording of the vow, be it in Arabic or any other language, should be couched in .١ such a way that the ultimate objective is to seek the pleasure of Allah Almighty, and that such wording should include His name, i.e. Allah or any of his other exclusive .names and attributes

Should the person making the vow not say, “I am indebted to Allah, God, or the ⁕ ?Merciful (ar-Rahman)”, what will happen

–

.There shall be no obligation to fulfil the vow

The thing offered for a votive offering should be ethically and religiously viable, .۲ .especially when it comes to certain actions emanating from the vow

What if it was not acceptable, yet it could be reprehensible, damaging, or ⁕ ?permissible

A vow is not in order, if the deed contingent on the vow was reprehensible or – damaging. If it was permissible, it shall be deemed sound when the ultimate intention leads to a lawful action. For example, if you make a vow to drink water to be more .able to worship God, your vow shall become binding

The person making the vow must be adult, sane, intent on carrying out the vow, .۳ .have free choice and access to that which is related to his vow

.That which is vowed should be identifiable and affordable .۴

So, should I take it that, if a person makes a vow according to the conditions you ⁕ ?have mentioned, he should be expected to fulfil such a vow

Yes, it becomes binding on him to carry out his vow, be it commission or omission of – .an action, during a prescribed period or for a lifetime, or donating anything

?What if the person, who made the vow, does not comply with it out of choice ⁕

Kaffarah shall become due. That is emancipating a slave, or feeding ten poor people, – .or clothing the same number of poor people

?If the person could not do that because of want, for example ⁕

He –

.should fast three consecutive days

* If a person makes a vow to donate some money to the holy shrines, what could be ?the avenues of spending that money

- It could be spent on repairing, maintaining, lighting, carpeting, heating and air conditioning the shrine. That is, if the donor did not specify any of these avenues, or .others

* Should the person making the vow specify his donation to the person of, say, the Prophet (s.a.w.) or the Imam (a.s.), rather than the building, how is it going to be ?spent

- The donated money could be distributed to the poor among the visitors of the shrine .or spent on maintaining the building

* Should a person have a strong inkling that they made a certain vow, is it compulsory ?on them to fulfil it

- .Yes, if they were absolutely sure

If someone made a pledge to Allah Almighty to do something or refrain from .committing a certain action, he must fulfil that pledge

* Does this mean that a pledge is like a vow, in that it shall not be in order, unless it ?caters for a particular wording that includes the Name of Allah

- Yes, and furthermore the commission or omission of the action should be .acceptable, from a personal standpoint, and lawful from a religious perspective

It is worth noting, though, that the same conditions, I explained earlier, which apply in .the case of a vow, apply in the case of a pledge

* Should the person who made the pledge deliberately choose not to

?fulfil it, what shall be the ruling

He must make up for flouting the pledge by paying a kaffarah (expiation). In this – case, it is either setting a slave free, feeding sixty poor people, or observing fasting .for two consecutive months

Insofar as oath is concerned, it should be fulfilled. If it was intentionally broken, the kaffarah shall be either emancipating one slave, or feeding or clothing ten poor people. In the event of inability to come up with any of these, fasting three days in a .row should suffice

Central to the oath is the wording, i.e. it should be linked to the Name of Allah, such as "By Allah, or I swear by the Almighty, I shall do this or that". The action, or otherwise, resulting from fulfilling the oath ought to be acceptable and affordable; it should also be lawful from a religious standpoint. It should still be sound, if he swore for a worldly gain. The person making the oath should be adult, sane, exercising free will, and clear .in his mind as to the consequences of the action

If someone said to another, "By God, you have to do this or that", would this be ⁕ ?deemed as oath

An oath does not extend to include asking, or ordering, other people to carry out – certain actions. Also, it does not cover the past. Thus, such oaths have no ,consequence

An Oath shall not become binding on the son, if his father banned him from doing certain things. Neither shall

.it become binding on the wife, if she flagrantly disobeyed the orders of her husband

If either makes an oath without the permission of either the father or the husband, .they can undo the oath

A person could make an oath on the veracity of his honesty, for example. Is it all ⁕ ?right

.Genuine oath is permissible, yet makrouh –

As for false oath, it is forbidden; it could be among grave sins, unless it is made out of .necessity

?In what way ⁕

For example, if the person making the oath was aiming at warding off oppression – from himself or his fellow believers. The circumstances may warrant the engaging in false oath to avert danger to one's life, honour, or those of his brethren. However, if .[there was room for equivocation (tawriyah), [he may resort to it

Dialogue on writing a will

My father started today's session with a hadith from Imam Ja'far as-Sadiq, "Leaving a ."will is a (religious) duty; the Prophet (s.a.w.) had done so, and so should Muslims

Yet, some people do not write wills under the false impression and pessimism that ⁕ .their death has drawn nigh

Making a will is a commendable act (mustahab); it is widely believed to prolong life. – .Conversely, leaving out the making of a will is makrouh and not a good thing to do

?After all, isn't death inevitable

,Yes, and rightly so. Allah, the Exalted says in His Holy Book ⁕

.(Every soul shall taste of death ..." (۳/۱۸۵"

If this was the case, why should any one of us –

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?try to evade the inevitable

We have to be practical and get ready for that which will befall us all, whether we lived .a long or a short life

?How should I go about making a will ※

It is mustahab you start your will with the du'a (supplication, or invocation) that the - .(.Prophet (s.a.w.) taught Imam Ali (a.s

?What does it say ※

My father stood up, went to his library and came back with a book entitled "Al- - .Wasaa'il". He read out the text of the supplication

:I was writing what he dictated to me. It reads thus

O Lord! Originator of the heavens and the earth, the Only Source of knowledge of the" unseen and the seen, the All-compassionate, the All-merciful. O Lord! I bear witness that there is no god but You, that You have no associates, and that Mohammad is your servant and messenger. That paradise, hell, resurrection, reckoning, destiny, and justice are true. That religion is as You described, Islam as You made plain, the word as You narrated, The Qur'an as You stated. That You are God - The Glaring .Truth

May Allah reward Mohammad with the best recompense. May He bless Mohammad .and his Progeny and grant them peace

O Lord! You are my refuge at times of fear, my ally at times of trouble, and the Giver of my boon. My God and the God of my ancestors! Do not make me rely on my soul, for if You do, it will tempt me to incline to that which

is evil, and allure me to abandon that which is good. Make my loneliness in the grave friendlier. And make me a pledge that I return to You with the best outcome."

After this introduction, the person can state his will.

* What are the matters that could be included in a will?

- Things like a) taking care of one's offspring, especially the minors among them, and the rest of his family, b) to be kind to his kindred, c) to pay his debts, if any, and d) releasing deposits in his trust. He could leave in his estate the amount of expenses that shall arise from paying for people who shall carry out certain obligations he did not perform in his lifetime, such as prayer, fasting, hajj, and paying out any amounts of khums and zakat that are outstanding. He could state that the poor be fed, and make out payments of sadaqah in his memory. He could ask for certain things to be done after his departure. In short he could ask for the implementation of anything he wished.

However, it is important to note that there are certain conditions that should be met by the person making the will. These are, they should be adult, sane, of a full legal age, hence the will of the incompetent (safeeh) shall not be in order. Nor shall be the will of a person who was coerced into making the requirement in the will. The will of the boy who is under ten

years of age, provided the provisions of his will were in the sphere of what is good and .for the benefit of his immediate family and relatives

At the time of making the will, the testator should not be resigned to taking his own life. In such a case, his instructions as to his estate shall, for example, be limited to that which relates to matters and expenses arising from his funeral and his children .who are under-age

The executor cannot appoint another person to carry out the will. He could, however, authorize a trustworthy person to handle any particular matter of the will, if the testator did not specify that the executor should attend to that particular matter .himself

?Is it conditional that the will be written *

No, any person can make a will verbally or by expressing any meaningful gesture. It - suffices, too, for a will to be deemed as such, if there was any paper, bearing the signature, seal, or finger print, of the mandator, suggesting that he intended it to be .executed after his death

?Should any one of us make his will at the time of illness only *

.No, not only in sickness, in health too -

?You said earlier that one can cater for any thing he wished. Am I right *

.Yes, provided it should not be outside the pale of what is lawful and ethical -

Could any one of us make a will, stating that all his estate, for example, be spent in a * certain

?avenue

.No, the will must be confined to one third of the entire estate –

Should there be a person, who exceeded that limit, what shall be the ruling in this ⁕ ?case

.The will should be declared void and null, unless the heirs sanction the excess share –

?If the heirs agreed, how should they go about executing the will ⁕

That which should be set aside of the estate be: a) any outstanding debt, b) religious – dues, c) compensations, and d) reserve money for any religious obligations that were not carried out during the lifetime of the deceased. Obligations such as hajj, prayer, fasting etc, should be performed on his behalf, irrespective of whether or not he .made provisions in his will to cater for them

That is, if the deceased did not specify that it should be taken out from his share of .one third, in which case it must be taken out of it

.The remainder must be divided into three shares

One third must be set aside to meet the provisions made by the testator and two .thirds for his inheritors

Should provisions, made by the testator in his will, like paying a named person a ⁕ specific amount of money, or granting them a property or a plot of land, and other ?ones pertaining to his funeral, for example, be acted upon

The testator has the right to make such provisions and the executors of his will – should be bound by that, provided the cost did not exceed one third of his

.estate

Parts of the estate of the deceased person could sustain damage at the hands of the * ?executor of his will. Should the latter be held responsible

The executor cannot be made to pay for the damage, provided that there was no - .negligence or malice on his part

However, making a will is mustahab as long as death was imminent, in which case attending to certain things as a matter of priority becomes wajib; among these are :the following

.Settling one's debt, especially those that have become due, if one was able to do so .۱

As for a) the debt whose date of repayment was not due, b) that which was due but was not yet demanded by the creditors to pay, or c) that which he did not have the means to pay back, he should make a will to that effect before witnesses, if it was not .common knowledge

Releasing deposits in his safekeeping to their owners, notifying the owners, or . ۲ .making a provision to return them

Settling unpaid khums, zakat, and madhalim (Material or moral restitution, or . ۳ .reparation, to people you have wronged), if you were liable and could afford payment

Hiring a person, for money paid from his own property, to say obligatory prayers or .۴ perform hajj on his behalf. Even if he was not financially able to hire someone, and a volunteer came forward to carry such obligations out for him, making a provision in the will to this effect becomes wajib. In certain cases, however, informing

a trusted person, such as the eldest son, to cater for meeting his obligations vis-a-vis .prayer and hajj would suffice

Advising his heirs of any money, property, or otherwise he has with other people, .۵ that they do not know of, so that their right in such dues would be preserved after his .death

?If a person did not make a will, what would happen to his estate ❊

He shall forgo his right in having disposal over one third of his estate in the way he - .may have wished

?How would his estate be divided ❊

It be divided according to certain formula, that we will discuss in the next dialogue - .on inheritance

Dialogue on inheritance

.From inheritance perspective, relatives fall into three categories

The First Group

The deceased's parents, their offspring, and the third generation. However, by the offspring I mean the genealogical ones. In the presence of such offspring, they take precedence over the paternal and maternal grandchildren, i.e. the latter do not inherit .anything

The Second Group

The deceased's brothers and sisters; in their absence, their offspring, paternal and maternal grandfathers and grandmothers should be given their share of the inheritance. If the brother had offspring and grandchildren, the nearest to the .deceased shall have precedence in the inheritance over the more remote relative

?Could you give me an example ❊

.In the presence of a nephew, he takes precedence over the son of a nephew -

The Third Group

Paternal and maternal uncles and aunts, and in their absence, their offspring shall have a right in the

.inheritance, according to the principle of the nearest blood relative comes first

* ?Why is it that relatives of the deceased are classified as such

- The reason is that a person belonging to the lower category shall receive an .inheritance only if there was no person in the higher category

* ?If the deceased did not have any person in all those categories, who will inherit him

- The deceased's paternal and maternal uncles and aunts, mother, and their children or grandchildren shall inherit him, if it is widely believed that they really relate to him. This, should, though, be applied without losing sight of the principle of the closest the .relation, the more preference it warrants in getting a share of the inheritance

* I have noticed that, so far, you haven't mentioned the husband and wife in the three ?categories you told me about. Are they a special case

- They inherit one another according to a special criterion in the presence of all those .groups of relatives

* What if the deceased did not have any relative from the first category, except his ?offspring

- .They alone have the right to inherit him, even if there was one son or one daughter

* ?If they were all males or all females

- .The inheritance shall be divided equally between them

* ?If they were mixed

- ,Allah, the Most High says in His Holy Book

"Allah enjoins you concerning your children: The male shall have the equal of the .(portion of two females". (۴/۱۱

* Suppose a man

died and left behind a son and a daughter. How should their inheritance be divided ?between them

The estate of the deceased should be divided into three portions, two of them go to – .the son and one to the daughter

If the deceased did not have any relative from the first category, except one of his * ?parents

.The one who is alive takes all –

What division will be adopted, if both the parents were alive, and the deceased did * ?not have brothers

.His father gets the amount of two thirds and his mother gets one third –

What sort of allotments would the two parents and the daughter of the deceased * ?get

One fifth of the estate goes to his father, a second fifth to his mother, and three – .fifths to his daughter

In the event of the presence of one of the parents and a number of male and female * ?children, what sort of shares would they get

One sixth goes to the parent, and the remainder should be divided pursuant to the – .”principle of “the equal of the two portions of the female

?Can we now turn to the relatives of the deceased of the second category *

?Why not –

Suppose the deceased had either one brother or one sister; what shares would they * ?get

.The entire estate reverts to the brother or sister –

* Should there be numerous brothers from both the parents, how would the allocation of shares be carried out between them?

- If they were all males or

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all females, the estate shall be divided equally between them. If the heirs were of both the sexes, the criterion of two shares for the male and one share for the female must be upheld. That is, if they all were traced to the same parents, or they were his half brothers from his father's side. If, however, they were half brothers from his mother's side, they shall receive equal shares irrespective of their number.

* Well, paternal and maternal uncles and aunts are of the third category. Aren't they?

- Yes, they are.

* Suppose the deceased did not have but either one paternal uncle or aunt, what would happen to the bequest?

- The entire estate reverts to that particular person.

* Should there be numerous paternal uncles and aunts, what portions would they get?

- The bequest must be divided into three parts, two parts go to the paternal uncles and one to the maternal ones.

* What about the inheritance of husband and wife?

- The wife has a special treatment when it comes to inheritance. She is not entitled to some items of the possessions of her dead husband. This includes capital assets such as any land, in general, or the value thereof.

She can, though, receive a share of the value of, not the corporeal, property left by her deceased husband, such as plantation and trees. She also gets her share after the property has been properly valued. The rest of the inheritors shall not have the right of disposal over any part

of the estate that may yield a share to the wife, except with her approval.

* What about other material possessions, i.e. other than those you have explained early on?

– Like other heirs, the wife inherits a share of the estate.

* Does the husband inherit his wife?

– Yes, the husband can inherit his wife without restrictions. That is, movable or immovable property, including land.

* In the event of the death of the wife, who had no offspring by him or from a previous marriage, what share would her husband get?

– The husband would get half of the estate, and the other half goes to the rest of the heirs.

* If she had offspring?

– The husband takes one quarter of the estate; the rest shall be divided between the remaining heirs.

* What share would befall a wife who had no children by her deceased husband?

– She would get one quarter of the estate, and the rest goes to the other heirs.

* Suppose the husband had children, by her or from previous marriages, what would she get?

– She should get one eighth of the estate and the rest goes to the other heirs.

Although there are other rules governing inheritance, detailed in jurisprudence books, I should, however, mention few other points in this regard:

١. The eldest son of the deceased, exclusively, inherits certain items of the bequest, such as his copy of the Holy Qur’an, ring, sword, clothes, whether used or brand new.

If there were more of these, [the eldest son should reach

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an agreement with the rest of the heirs. The same goes for other kinds of weapons, .[such as dagger and gun

The murderer shall not inherit the murdered, if the murder was premeditated. .٢ .Should the killing be accidental, inheritance should be upheld

.A Muslim can inherit a non-Muslim; the latter does not inherit the Muslim .٣

Dialogue on religious endowments

I started today's session by asking my father about certain phenomenon I often notice in mosques, holy shrines, and some buildings and amenities. It is to do with the phrase "waqf, or endowment", I see inscribed or written on the buildings themselves or on pieces of furniture therein, and sometimes on copies of the Holy Qur'an. What ?does this phrase mean

Any person can provide such things you have just mentioned and other things by - way of endowment. If this is done according to shar'ie rules, the object declared as waqf shall come out from the ownership of the person who made the endowment and be used for the purposes designated in the endowment, that could be public or private. The endowment fund or property cannot be bequeathed or sold, except in .certain circumstances

The person creating the endowment could appoint a trustee to carry out the affairs of .the endowment trust according to the deed of waqf

?Does waqf have a particular mechanism ※

No, suppose a person built a place for public worship, not necessarily looking like a - .traditional mosque building, intending it to be a mosque, then it shall be deemed thus

,However

:there are general rules that should be satisfied to make a waqf viable

Continuity and permanence, in that waqf shall not be in order, if the person . ۱ .dedicated the endowment appointed a limited period for it to run through

?Could you expand on that ⁕

Suppose you make an endowment whereby you put your house at the disposal of – .poor people, to live in for a year; this cannot be recognized as waqf

The person who made the endowment should not be the exclusive beneficiary, or . ۲ .among other beneficiaries, of the endowment

What about a person giving the right of disposal over his property, by way of ⁕ ?endowment, to a given person, his children, or relatives, for example

The endowment shall be in order, provided it is enforced at the time it was made, – because private endowments should exchange hands on the spot, i.e. the donor must .part with the property for the beneficiaries forthwith

?Who should take charge of a public endowment ⁕

.The viability of a public endowment is not contingent on a particular date –

Earlier, you mentioned that one of the rules of a proper endowment is continuity and ⁕ permanence in that the donor has no right to fix a duration during which the endowment could run, and on whose expiration his property may revert to his .ownership

That is right. However, if there was someone wanting to donate, say, his property or – assets for a particular use during a specified time, he could tie it up inalienably. That

is, on the expiration of the specified period his property or capital should revert to his .ownership

?Could you expand on that ※

Suppose an owner of a vehicle said, "My car is put away inalienably for the transport – of pilgrims for five years", it should so be done, i.e. he cannot change his mind and revoke the promise. Of course, his vehicle shall revert to his ownership after the .expiration of the five years

If the person in the example you have just quoted passed away, would this be a ※ ?good reason for the vehicle to revert to his heirs

No, the property or any other assets that were set aside for such a purpose would – stay during the entire duration specified by the owner. It shall revert to his heirs on .the expiration of the term originally fixed

Is it within the right of any person to consecrate his property for the use of another ※ ?person for his lifetime

Yes, it is within his legitimate right, and once he has made that decision he cannot go – .back on it. If he dies, though, his property reverts to his heirs

Suppose someone said to another, "I grant you and your family this property to live ※ ?in", i.e. without specifying the length of their stay in the property. What would happen

The occupiers of the property have the right to stay indefinitely; that is as long as – .they live. It can only revert to the original owner when they all die

※

And if the owner said to the beneficiary, “I grant you abode in my property during your ?lifetime”. Then the owner died. What shall be the position of the heirs

– They have no right to evict the tenant. Should he pass away, the property can revert .to their ownership

* Can the husband consecrate one third of the produce of his grove, for example, for the exclusive benefit of his wife during her lifetime, provided that the said portion ?reverts to his property after her death

– .Yes, he is free to exercise such a choice

* Can the trustee of an endowment of a mosque exercise the authority vested in him to lend some items of the furniture of the mosque for the use, outside the mosque ?premises, in a wedding party, for example

– So long as such items were devoted to the exclusive use of the mosque, the trustee .has no right to lend them

* ?Is it permissible that such items be rented

– .It is not permissible too

* Suppose a special fund was set up for the maintenance of a certain mosque, and that there was no need to utilize the money for that purpose. Can the fund be diverted ?for the same use in another mosque

– If there was no need now, or in the foreseeable future, for that fund, and it was not feasible to vouchsafe it for the purpose of the endowment in time of need, it could be ,spent on all the needs of the original mosque

as the person who made the endowment had intended. Only then can it be spent on .maintaining another mosque

Dialogue on enjoining what is good and forbidding what is evil

I reckon now that you have attained an adequate and diverse level of knowledge of your religion, thanks to the journey we made together into the complex world of jurisprudence. It could be said that you now know the demarcations of right and wrong, halal and haraam, wajib and mustahab. Therefore, the time has come to act ,upon the injunction of God Almighty

And among you there should be a group who invite to good and enjoin what is right" .(and forbid what is wrong, and these it is that shall be successful". (۳/۱۰۴

?How should I do it *

Invite people to good deeds and make them stop committing the acts that you know - .are wrong

What has this to do with me, i.e. meddling in other people's affairs? Does it not * ?suffice that I adhere to what is required from me by the Islamic injunctions

Beware, o son! You shouldn't say that. In certain circumstances, this obligation is a - collective one imposed on the Muslim community (wajibun kifa'i, by contrast to wajibun aini - the obligation that falls on every adult Muslim i.e. individual duty): In other words, when you, I, and others do not discharge such a duty, all of us shall be rendered sinners. If only one of us takes it upon themselves to uphold the obligation, .the rest shall be absolved of the responsibility

Beside the clear

injunction contained in the Qur'anic verse I have just recited, it has been reported that the Prophet (s.a.w.) said, "My umma 'Islamic community' shall be in good condition they enjoin that which is good, forbid that which is wrong, and co-operate in righteousness. If they hesitate, they shall be denied bliss, be dealt high-handedly with each other, and will have no helper on the earth, nor in the heavens!".

In this regard too, Imam Ali (a.s.) has been quoted as saying, "Do not abandon the obligation of enjoining right and forbidding wrong. If you do, your bad folk shall reign supreme over you, and then you will implore God's grace, yet your prayer would not be answered".

And finally, probably you are aware of the Prophetic hadith, "You, all, are charged with the responsibility and should, therefore, take care of those who are in your charge".

* Yes, I am aware of this tradition.

- You are, therefore, a responsible person. As such you have certain duties and rights; the task is very grave. Since this is the case, I do not think you can still cling to your earlier notion of "not meddling" in other people's affairs, for upholding this religious ritual cannot be described as poking one's nose in other people's business. This obligation is akin to prayer, fast, hajj, and khums.

* However, I am not a clergyman so that I can advise people to do good or encourage them to abstain from committing bad deeds.

- Who told you that the discharging

of this obligation is the exclusive domain of the clergy? It is the duty of every one of .us, irrespective of our backgrounds

Well, when would this obligation cease to be wajibun kifa'ie, (i.e. so long as there are * other Muslims who take it upon themselves to discharge it), and become the ?responsibility of every individual Muslim (wajibun aini), in the same way prayer is

In certain circumstances, enjoining good and forbidding evil becomes obligatory. It - could explicitly be demonstrated by your aversion to the actions of those who disregard this obligation to desist from committing sins. On this occasion, I recall Imam Ali's words, "The Messenger of God (s.a.w.) ordered us to face up to (avowed) ."sinners, through expressing our disapproval of their wrongdoings

?Is upholding this divine obligation paramount at all time *

:No, certain conditions must be present -

The person exercising the obligation of enjoining good and forbidding evil must be .١ .aware of what is good and what is bad, albeit in a general manner

The probability that his advice shall be heeded. Conversely, there is no point in .٢ trying to guide those who you know will not take your advice. Having said that, [it becomes obligatory at times that you show indignation at their flagrant .[commissioning of evil deeds and turning away from that which is good

The wrongdoer, or the one turning away from good, must be intent on committing .٣ the act. In the event, however, of even a glimpse of hope that they may ameliorate

.their stance, they must be counselled accordingly

?If the person was not bent on commissioning the act *

.they should not be counselled -

?How should I know that a person is intent on committing the vile deed *

If you are aware of any indication that may lead you to believe they have mended - .their ways, this is a proof that they are no longer intent on committing the misdeed

Should they abandon the action, or show remorse after they had done it, this is a sufficient confirmation that they are no longer bent on habitually committing evil deeds. You are, therefore, not required to tell them off, or urge them as the case may .be

At times it occurs to me that a person may be in the process of committing a sin, or * turning away from good, is it incumbent on me to act to thwart their bid or urge them ?to join in what is good as the case may be

Yes, you are duty-bound to prevent them from doing that which is vile and sinful, - .and extol them to embark on that which is good and rewarding

The person committing the sin or turning away from what is virtuous should not be .۴ unmindful of the nature of their action, in that they are not aware what they are doing contravenes the sublime injunctions of religion. Otherwise, giving them advice is not .compulsory

The person giving the counsel should not fear the consequences of his word or .۵ deed, be

it to his person, honour, property, or fellow Muslims. Conversely, championing the obligation can be waived, except if the thing enjoined or forbidden falls within those grave matters in the eye of the Divine Lawgiver. In those circumstances, striking the right balance, between the expected action and the core injunction, becomes .paramount. Accordingly, the obligation may or may not be discharged

If I want to practise the enjoining of good and forbidding of evil, how should I go ⁕ ?about it

It could be done in levels; the first is expressing your innermost irritation and – .revulsion for the violation

?Is there a particular way of demonstrating my anger and resentment ⁕

This could take many forms of reactions, showing disapproval of the wrong act that – was being committed. You could turn away from the person who committed it, .showing your fury at their deed; and you could stop talking to them

The next level is that you go about propagating enjoining good and forbidding evil by .word

?How should I go about this type of action ⁕

By counselling the wrongdoer, reminding him of the severe punishment Allah, the – Most High, has in store for those who disobey His injunctions; you could advise him of .the reward God has promised those who obey His commandments

.The third level is taking practical action to enforce this divine injunction

?Could you expand on that ⁕

It is by physically punishing the transgressor of the bounds of Allah, the Omnipotent, – such as wrenching his ear, and smacking or

.interning him, in a bid to make him desist from future violations

However, for every type of the aforesaid actions, there must be room for manoeuvre .commensurate with the circumstances prevailing at the time of committing the sin

* Do I have to adopt these methods in the same order of priority, i.e. in the way you ?have just explained

- Not at all, you could start with the type of response, you believe would yield good results. You should not, though, lose sight of the fact that you should, at the outset, .resort to using the manner that is least harmful or insulting

* ?Should this prove fruitless, can I use a tougher approach

- You may move to the ultimate stage. That is after you have secured the permission of the Marji'. You should, however, start with the action that is least harmful, without endangering the wellbeing of the person being reprimanded, i.e. barring inflicting a .wound or a fracture on him, let alone endangering his life in any way

However, commands and interdictions are two obligations that become more demanding to enforce, if the person who is turning away from what is good, or .committing the sin is among your household

You may find some members of your family who are apathetic towards discharging certain obligations, or committing cardinal sins, lying, encroaching upon other .people's rights, and this or that of vile deeds

* ?Suppose, I found such a lacking conduct, what should I do

- Then, your duty shall be to uphold the obligation of

..enjoining good and forbidding evil in the same manner we discussed earlier

?What if the situation did not warrant an obligatory action ⁕

It shall be mustahab to act upon. If you so did, you shall be rewarded. Should you - abandon it, you shall not be penalized. The criterion here is that he who leads to good .deeds is in the same rank of the doer

Despite all this detailed discussion on enjoining good and forbidding evil, can I have ⁕ one more request, in that I am still not fully aware as to all aspects of the subject. In ?short, could you dot the i's and cross the t's

?Of course; I must stress, though, that I have one condition -

?What is it ⁕

I shall identify certain actions that are good, and that you should heed or practise - and encourage the others to do so, be they mustahab or wajib; and other actions that are either forbidden or reprehensible, and that you should refrain from doing and .frustrate the attempts by the others to commit them

.I promise ⁕

:Good. As for good deeds, they may include the following -

.Trust in God .۱

,Allah, the Omniscient says in His Glorious Book

.(And whoever trusts in Allah, then surely Allah is Mighty, Wise". (۸/۴۹..."

Commenting on this verse, Imam Mousa al-Kadhim (a.s.) was quoted as saying, "Trust in God is of varying degrees. Trusting in God in all your affairs comes on top. Whatever He allotted to you, you should wilfully accept, in the knowledge

."that you know He shall not wrong His servants. So, entrust Him with your affairs

.Holding firm to Allah .۲

,Allah has stated in His Holy Book

.(And whoever holds fast to Allah, he indeed is guided to the right path". (۳/۱۰۱"

It has been narrated from Imam as-Sadiq (a.s.), "Allah revealed to David (a.s.): Whomsoever among My servants held fast to Me, to the exclusion of My servants, I shall know that. And if it so happened that the heavens and the earth, and those in them, plot his downfall, I shall extricate him from such a situation. Conversely, should anyone of My servants put his trust in another of My creation, I shall know his intention, cut him off heavenly sustenance, and sink the ground under his feet; "thereafter, I do not care where he perished

.Thanking God for His countless bounties .۳

My Lord! grant me that I should be grateful for Thy favour which You have bestowed" on me and on my parents, and that I should do good such as You are pleased with, .(and make me enter, by Your mercy, into Your servants, the good ones". (۲۷/۱۹

Tradition has it, "Thanksgiving for God's favours, irrespective of their magnitude, is ."weightier than the favour itself

.Having good opinion of Allah, the Most High .۴

Quoting the Prophet (s.a.w.), Imam Ali (a.s.) has said, "By Him, the Only and One God! Not a single believer, who has been favoured with the best of the riches of this life and the hereafter, has achieved

such favour, except with his good faith in Allah, his good opinion of Him, and his good character."

۵. Trust in what Allah has decreed of means of living, life, and profit and loss.

"Whatever benefit comes to you (O man!), it is from Allah, and whatever misfortune befalls you, it is from yourself..". (۴/۷۹).

Imam Ali (a.s.) was quoted as saying, "Not a devout Muslim shall taste the true flavour of Iman (faith), unless he is satisfied that what has been allocated to him will not go to any other person, and that which has escaped him shall never be his."

۶. Fear of, and hope in, God Almighty.

Describing true believers, Allah, the Exalted, has this to say,

"Their sides draw away from (their) beds, they call upon their Lord in fear and in hope, and they spend (benevolently) out of what We have given them. So no soul knows what is hidden for them of that which will refresh the eyes; a reward for what they did". (۳۲/۱۶,۱۷).

Imam Ja'far as-Sadiq said, "Have hope in Allah, the kind of hope that shall help you refrain from trespassing upon His bounds, and fear Allah, in such a manner that shall not make you give up on His mercy."

۷. Patient perseverance and self-restraint.

"..Only the patient will be paid back their reward in full without measure". (۳۹/۱۰).

God, the Exalted, also revealed,

"Those who spend (benevolently) in good and bad days, and those who restrain (their) anger and pardon men; and Allah loves the doers

.(of good (to others)". (۳/۱۳۴

The Apostle of God (s.a.w.) was quoted as saying, "Among the most favoured avenues that may bring the servants closer to their Lord are their reactions in two situation - a burst of irateness, checked by restraint, and a tribulation responded to by patient ."perseverance

.Shying away from that which Allah, the Exalted, has declared haraam .۸

It has been narrated from Imam Ali (a.s) thus, "Endurance is of two types - The first is that exercised at times of affliction which is good. And better still is restraining oneself from transgressing against His injunctions, especially that which He deemed haraam". The Imam also said, "Fear God, against wrongdoing, especially in secret, for the ."Witness is the Judge Himself

.Justice .۹

,Allah, the Most High, said in His Book

Surely, Allah enjoins the doing of justice and the doing of good (to others) and the" giving to the kindred, and He forbids indecency and evil and rebellion; He admonishes .(you that you may be mindful". (۱۶/۹۰

It has been narrated from Imam Ja'far as-Sadiq (a.s.) thus, "Three categories of people will be the closest to God, the Most High, at the Day of Reckoning: A person who, at an angry moment, chose not to use his upper hand in dealing a blow to his adversary; a second who befriended two others, yet, throughout this friendship, he did not lean to one side at the expense of the other; and a third who told the truth, ."albeit against himself

Following one's reason .۱۰

.rather than his desires

Yearnings for women and sons and hoarded treasures of gold and silver and well" bred horses and cattle and arable land, is made to seem fair to men; this is the provision of the life of this world; and Allah is He with Whom is the good goal (of life). Say: Shall I tell you of what is better than these? For those who guard (against evil) are gardens with their Lord, beneath which rivers flow, to abide in them, and pure .(mates and Allah's pleasure; and Allah sees the servants". (۳/۱۴,۱۵

The Messenger of God (s.a.w.) said, "Blessed is he who forsook a pleasurable moment ."for an unseen promise

.Humility .۱۱

The Prophet (s.a.w.) was quoted as saying, "The person who is most loved by, and the closest to, me at the Day of Judgement, shall be the one with the best moral credentials and the most humble." From the famous book of prayers of Imam as-Sajjad is this quotation, "O Lord! Bless Mohammad and his household, and do not elevate my rank among the people, unless You have suppressed my soul by the same measure, and do not bestow on me public honour, unless You create in my soul a ."humiliation by the same measure

.Leading a reasonable lifestyle .۱۲

O children of Adam! attend to your attire (and looks) at every time of prayer, and eat" .(and drink and be not extravagant; surely, He does not love the extravagant". (۷/۳۲

.Fairness .۱۳

The Messenger of God (s.a.w.) said, "The most honourable

of works are those of a) being fair to others, b) giving charity to your brethren, and c) ."the remembrance of Allah, the Most High, in every circumstance

.Chastity .۱۴

Imam Ja'far as-Sadiq (a.s.) said, "The best of acts of worship are moderation in food, ."and morality

.Minding one's own shortcomings, rather than snooping on the others .۱۵

The Prophet (s.a.w.) said, "Blessedness belongs to him who pays more attention to fearing God Almighty than fearing human beings, and to him who is more concerned ."with his own faults and frailties than those of his fellow believers

.Claiming the high moral ground .۱۶

,Describing His Messenger, Allah, the Most High, said

.(Most surely you conform (yourself) to sublime morality". (۶۸/۴"

Asked about who of the faithful is the most deep-rooted in faith, the Prophet (s.a.w.) ."said, "The one who has the best integrity

.Reason .۱۷

The Prophet (s.a.w.) said, "Allah never bestows glory on him who is petty-minded, and ."never humiliates him who is mild-tempered

."Imam Ali ar-Ridha (a.s.) said, "Man can only attain true worship with forbearance

.Memorizing the Holy Qur'an, reciting it, and acting according to its injunctions .۱۸

,Allah, the Exalted, said

Surely, they who recite the Book of Allah, keep up prayer and spend out of what We" have given them secretly and openly, hope for a gain which will not perish. That He may pay them back fully their rewards and give them more out of His grace; surely,

.(He is Forgiving, Multiplier of rewards". (۳۵/۲۹,۳۰

The Prophet (s.a.w.) said, "The companions of the The Qur'an shall be

in a very lofty rank among mankind, save the prophets and messengers". It was also related from Imam Abu Abdillah as-Sadiq (a.s.) thus, "Those, among devout youths, who recite The Qur'an, it will blend with their blood and flesh. And Allah shall place them with the virtuous noble scribes; the Qur'an shall stand them in good stead on ."the Day of Judgement

.Paying respect to the holy shrines of the Infallibles .۱۹

Tradition has it, "Al-Hussain bin Ali (a.s.) said to the Messenger of God (s.a.w.): O father! what will be his reward such as who pays visitation to you (your tomb)? The Prophet (s.a.w.) replied: Those who pay me a visit, your father, your brother, or you, I shall be duty-bound to visit them at the Day of Judgement to extricate them from ."(their sins, (if any

.Asceticism .۲۰

The Apostle of God (s.a.w.) said, "Renounce worldly things, Allah will love you". In another tradition, he said, "If Allah chose any of His servants for His favour, He would make him relinquish the pleasures of this life for those of the Hereafter, and make him mindful of his own shortcomings, rather than those of other people". Imam Zainul Abideen (a.s.) was quoted as saying, "Apart from knowing God, the Most High, and His ."Messenger, there is no deed more meritorious than shunning the glitters of this life

Imam Ja'far as-Sadiq had these words for a man who sought his advice, "I commend to you to be God-fearing, pious, and diligent. Beware of desiring

that which Allah has bestowed on other people. It suffices to remind you of what He said in His Holy Book, addressing the Prophet (s.a.w.),

'Do not strain your eyes after what We have given certain classes of them to enjoy, and do not grieve for them, and make yourself gentle to the believers' (۱۵/۸۸).

God Almighty also said,

'Let not then their property and their children excite your admiration..' (۹/۵۶).

And should you grow fearful, always remember the lifestyle of the Messenger of God (s.a.w.) - his staple food was barley (bread), his deserts dates, and his fire was lit with palm leaves. If a misfortune befalls you or members of your family, remember the calamities that befell the Prophet (s.a.w.), in that they were unprecedented."

۲۱. Helping the believers, allay their fears, make them happy, feed them, and see to it that their affairs are attended to.

Imam as-Sadiq (a.s.) said, "A believer who comes to the rescue of a wronged fellow believer shall get a reward that is greater than that of fasting Ramadhan, and devoting oneself zealously to the service of God in the Sacred Mosque..". In another hadith, he said, "If a Muslim looks after the needs of his brethren, Allah shall call him: Your reward shall come from Me and I shall not accept for you anything less than The Garden."

۲۲. Being one's own guard at all time.

The Prophet (s.a.w.) counselled Abu Thar thus, "Be answerable to yourself before you are called to book, for this

will ameliorate your trial on the Day of Judgement. Weigh yourself (take stock of your deeds) before you shall be weighed. And be prepared for the Grand Parade when ."everything shall lay bare before God

.Being mindful of the affairs of fellow Muslims .۲۳

In a hadith, the Prophet said, "He who has become impervious to Muslims' concerns shall no longer be counted among them. And he who heard a person calling on ."Muslims for help, and did not respond to his plea, is not a Muslim

.Generosity, noble-mindedness, and altruism .۲۴

And those who made their abode in the city and in the faith before them love those" who have fled to them, and do not find in their hearts a need of what they are given, and prefer (them) before themselves though poverty may afflict them, and whoever is preserved from the niggardliness of his soul, these it is that are the successful .(ones". (۵۹/۹

The Prophet (s.a.w.) said, "Among the prerequisites of forgiveness are giving away ."food, spreading peace, and speaking gently with others

.Spending on one's immediate family and relatives .۲۵

The Messenger of God (s.a.w.) said, "The parable of a head of a family, going about his business to earn a living for himself and his dependants is like a mujahid in the way of ."Allah

.Repentance for sins, petty and cardinal, and showing remorse .۲۶

The following verses from the Glorious Qur'an depict vividly the effect of true :penitence

O you who believe! turn to Allah a sincere turning; maybe your Lord will remove"

.(from you your evil and cause you to enter gardens beneath which rivers flow..” (۶۶/۸

.(and turn to Allah all of you, O believers! so that you may be successful”. (۲۴/۳۱..”

Surely Allah loves those who turn much (to Him), and He loves those who purify..” .(themselves”. (۲/۲۲۲

Do they not know that Allah accepts repentance from His servants and takes the” .(alms, and that Allah is the Oft-returning (to mercy), the All-merciful”. (۹/۱۰۴

Say: O my servants! who have acted extravagantly against their own souls, do not” despair of the mercy of Allah; surely, Allah forgives the failings altogether; surely, He .(is the Forgiving, the Merciful”. (۳۹/۵۳

It has been narrated from Imam Mohammad al-Baqir (a.s.), “The parable of a penitent is that of a sinless person, and the (parable) of him who dwells on his sin, .”while he keeps asking God’s forgiveness, is that of a mocker

What you have just numerated concerns that which is good. What about that which ⁕ ?is objectionable

They are numerous. However, I will mention some of them, but with the same - ?condition

You mean I must pledge to keep away from such misdeeds, and discourage people ⁕ .from committing them

!Precisely -

.You have my word ⁕

.Wrongdoing .۱

and they who act unjustly shall know to what final place of turning they shall turn..” .(back”. (۲۶/۲۲۷

Imam Ali (a.s.) said, “The most abhorrent sin in the sight of God Almighty is that of

.”unjustly encroaching upon the property of a Muslim

.Supporting wrongdoing and condoning it .۲

The Prophet (s.a.w.) said, “He who volunteers

to back an oppressor, knowing that he was thus, he be outside the pale of Islam". He also said, "The most wicked of people is he who sells the Hereafter at the price of this life. And the most wicked of the two is the one who bartered the Hereafter for the life ."of another person

The evildoers whom people guard against for fear of reprisals .۳

The Prophet said,"The most vile of people is he who is accorded respect for fear of ."their mischief

.Severing relations with one's blood relatives .۴

But if you held command, you were sure to make mischief in the land and cut off the" .(ties of kinship!". (۴۷/۲۲

In a reply to a tribesman, on the best of (deeds in) Islam, the Prophet (s.a.w.) said, "Faith. The man said: And what comes next? The Prophet said: Being kind to your kinship. The man said: And what comes after in that order? The Prophet said: Enjoining good and forbidding evil. The man then asked: Tell me of the most vile deeds in the eye of The Creator? The Prophet said: Associating gods with Allah. The man said: What comes next? The Prophet said: Enmity among relatives. The man said: And what comes next in that order? The Prophet said: Enjoining what is wrong and ."forbidding what is good

.Anger .۵

."Imam Ja'far as-Sadiq (a.s.) said, "Anger is the precursor to every vile deed

.Arrogance .۶

Therefore, enter the gates of hell, to abide therein; so certainly evil is the dwelling" ."place of the proud

.(۱۶/۲۹)

,The Almighty also said

And do not turn your face away from people in contempt, nor go about in the land“ .(exulting overmuch; surely Allah does not love any self-conceited boaster”. (۳۱/۱۸

The Prophet (s.a.w.) said, “The majority among the companions of Hell are the .”pompous

.Confiscating the property of the orphan .۷

As for) those who unjustly seize the property of the orphans, surely they only devour)“ .(fire into their stomachs and they shall enter burning fire”. (۴/۱۰

.Perjury .۸

Imam as-Sadiq (a.s.) said, “He who tells a lie on purpose after solemnly pledging to tell .the truth, he shall be viewed as though he was going against God, the Exalted

.False testimony .۹

,Describing the pious, Allah said in His Holy Book

And they who do not bear witness to what is false, and when they pass by what is“ .(vain, they pass by nobly”. (۲۵/۷۲

.Deception .۱۰

There shall befall those who are guilty humiliation from Allah and severe..“ .(chastisement because of what they planned”. (۶/۱۲۴

,God Almighty also said

.(and the evil plan shall not beset any save those who hatched it..”. (۳۵/۴۳..“

Imam Ali (a.s.) said, “Had it not been for the fact that the perpetrators of trickery and betrayal are among the companions of Hell, I could have become the most cunning

."among the Arabs

.Looking down on and taking light fellow Muslims, especially the poor .۱۱

Imam Ja'far as-Sadiq (a.s.) said, "Do not denigrate a needy believer, for he who treats any believer roughly, Allah shall treat him with the contempt he deserves, and

."shall maintain His dislike for him until he abandons such attitude or repent

.Envy .۱۲

Say: I seek refuge in the Lord of the dawn, from the evil of what He has created.. and" .(from the evil of the envious when he envies". (۱۱۳/۱,۲,۵

Imam Abu Abdillah as-Sadiq (a.s.) said, "Envy eats away faith in the same way fire ."consumes firewood

.Backbiting and listening to it .۱۳

O you who believe! avoid most of suspicion, for surely suspicion in some cases is a" .(sin, and do not spy nor let some of you backbite others.." (۴۹/۱۲

The Prophet (s.a.w.) said, "An assembly rife with backbiting is an affront to faith. Therefore, purify your hearing faculty from listening to backbiting, for both the ."speaker and the listener are deemed sinners

.Craving for wealth and clinging to this world .۱۴

O you who believe! let not your wealth, or your children, divert you from the" .(invocation of Allah; and whoever does that, these are the losers". (۶۳/۹

The Prophet (s.a.w.) said, "He, who makes this life his prime goal, shall be far removed ."from Allah's domain

.Obscenity, false accusation, and cursing .۱۵

Imam as-Sadiq had this reaction and rebuke to a close friend, when he heard him calling the mother of his slave names. Hitting his own forehead with his hand, he said to him, "God be praised! (How dare) you falsely accuse his mother (by using abusive language)! I thought you were pious and God-fearing. In which case, you are not!". The man said, "May I be your ransom! but his mother

is a Sindi (from the province of Sind) and that she is a polytheist". The Imam retorted, "(And so!) do not you know that every people have their own way in conducting their marriages. Go away!". It was recounted that the Imam (a.s.) was never seen with him .again ever

.Being ungrateful to one's parents .۱۶

And your Lord has commanded that you shall not serve (any) but Him, and (show)" goodness to your parents. If either or both of them reach old age with you, say not to .(them (so much as) 'Ugh' nor chide them, and speak to them a generous word". (۱۷/۲۳

.Lying .۱۷

Only they forge the lie who do not believe in Allah's revelations, and these are the" .(liars". (۱۶/۱۰۵

The Prophet (s.a.w.) said, "It is a great treachery to tell your fellow-human being a ."pack of lies, while he is not aware you are lying to him

Imam as-Sajjad (a.s.) said, "Guard against lying, be it petty or big, in any circumstance, whether in earnest or in jest, for if you lie in trivial matters, you shall be ."tempted to lie in grave ones

.Not keeping a promise .۱۸

,The Originator of the heavens and the earth said

So He made hypocrisy to follow as a consequence into their hearts till the day when" they shall meet Him, because they failed to perform towards Allah what they had .(promised with Him, and because they told lies". (۹/۷۷

If four (bad) habits characterize a person, he should be deemed a hypocrite; and if" only

traces of these habits were found in him, he would remain tainted, until he renounced them. These are: if he speaks, he tells lies; if he makes a promise, he does not keep it; if he undertakes a covenant, he betrays it; and if he disputes, he acts immorally", said .(.Prophet Mohammad (s.a.w

.Indulgence in wrongdoing and showing no remorse .۱۹

And those who, when they commit an indecency or do injustice to their souls," remember Allah and ask forgiveness for their faults - and who forgives the faults but .(Allah, and (who) do not knowingly persist in what they have done". (۳/۱۳۵

.Speculative hoarding of foodstuffs .۲۰

The Prophet said, "He who hoards foodstuffs, for more than forty days (plotting to ."push prices up), Allah shall deny him the breeze of Paradise

.Deception .۲۱

."The Messenger of God (s.a.w.) said, "He who cheats is not one of us

.Prodigality .۲۲

O children of Adam! attend to your attire (and looks) at every time of prayer, and eat" .(and drink and be not extravagant; surely, He does not love the extravagant". (۷/۳۱

,Allah, the All-pervading also declared

And give to the near of kin his due and (to) the needy and the wayfarer, and do not" squander wastefully. Surely, the squanderers are the fellows of Satan and Satan is .(ever ungrateful to his Lord". (۱۷/۲۶,۲۷

Imam Ali (a.s.) said, "If Allah chose what is best for any of His servants, He would make him spend wisely, and take good care of his affairs. He would lead him away from

misappropriation and prodigality.”

۲۳. Abandoning any of the religious obligations, such as prayer and fasting.

The Prophet of Mercy (s.a.w.) said, “He who deliberately abandons the observance of the obligation of prayer shall be denied refuge with God and His Messenger.”

Imam Ja’far as-Sadiq (a.s.) said, “Allah shall neither cast an eye on His servant, nor render him pure in heart, if he were to throw beyond his back any of the obligations He ordained, or commit any of the sins He prohibited.”

* Finally, my father had this to add.

I have chosen this statement on the important topic of “Enjoining what is right and - forbidding what is wrong”, by one of our luminaries, “It is incumbent on the doctors of religion, in particular, to practically apply this obligation: to wear the attire of what is good, be it wajib or mustahab, and take off the attire of objectionable actions, be they haraam or makrouh. They should arm themselves with noble morals and get rid of debased conduct, for in so doing they would set a good example to be followed by the laity. This is even more so, if they augment such deeds with good counsel, be it in the context of awakening their wishes in the good things to pursue, or checking their propensity to committing that which is haraam, as the case may be.”

Thus, we finish our dialogues on specific subjects, praying to the Almighty to make the reward for the effort put into them closeness to Him. I hope

that you and our brethren would benefit from them. Having said that, the forthcoming discussion shall be a general one, as you may want to enquire about any other topic .we have not covered in these dialogues

.It is a good idea ⁕

(Dialogue on miscellaneous issues (۱

No sooner had my father left, I gathered my notes; thus ending the last dialogue on well-defined juridical topics. Now it is time to get ready for a dialogue, the topics of .which, I am going to determine

In no time, I prepared a raft of questions. Shortly after my father had joined in, I started asking about leather products sold in, or imported from, non-Muslim .countries, such as Europe

Suppose a man's wrist watch strap was made of leather and he was wearing a ⁕ leather belt. Both were imported from a non-Muslim country. He has no knowledge whether the animal, whose hide was used in making the strap and the belt, was killed ?according to Islamic rituals. Should he take them off before starting prayer

His prayer is in order so long as there was a probability, that should be significant, - .that the animal was slaughtered according to Islamic rituals

?What about a leather wallet of the same characteristics mentioned above ⁕

.It is permissible to say prayer with it on -

Suppose the person in my previous question was aware of the fact that the products ⁕ were made of hide of an unslaughtered animal. Yet, he inadvertently said his prayer wearing the products. Upon remembering, he parted with

?them while in prayer. What would become of his prayer

His prayer shall be in order. However, should his forgetfulness stem from his apathy, – .[[he must say the prayer again

An electric washing machine that dries the clothes by spinning rather than wringing. * ?Is the process sufficient to render the garments tahir

.Yes, it is sufficient –

If I moved in to a house, whose previous owners are not bound by tahara, can I * ?assume that everything therein is tahir

Yes, your assumption is right, because the truth is that everything is tahir, unless – .you know that it is not

If I could move to questions on prayer: What would be the ruling in the matter of a * person who kept up prayer and fasting, but often conducted ghusl improperly. Although he is aware of this fact, yet he does not know the number of improper ghusls, and accordingly cannot determine how many prayers or periods of fasting he ?must repeat

His fasting shall be in order, i.e. he does not need to fast in lieu, albeit his ghusl was – batil. As for prayer, he must say every prayer he conducted after each improper ghusl. If he was not sure of the number of prayers, but could estimate it within a given .range, he can go for the minimum

?Can I prostrate myself in prayer (do sujood) on a piece of paper *

Yes, provided it is tahir and was made of wood or the like, which are deemed proper – to do

.sujood on. The same goes for paper made of cotton or flax

?Is it permissible to carry out sujood on a cement flooring ⁕

.Yes, it is in order -

Sometimes I listen to recitations of the Holy Qur’an, either broadcast from stations ⁕ or played from tape recorders and the like. Upon hearing the recitation of certain ?verses which call for the listener to prostrate themselves, am I duty-bound to do so

You are not required to do sujood in such circumstances. It is incumbent on you to - .do so, if you hear such verses recited live, i.e. first hand

The hair of a woman, in prayer, was partially uncovered without her knowing that. ⁕ Should I draw her attention to this, while the prayer is in progress, or should I do so ?after she has finished prayer

No, you should not advise her to that effect. Notwithstanding, even if she was - unaware of the exposure of her hair throughout and she found out after she had finished prayer, it is in order. If, however, she found out during prayer and hastened .to cover the exposed part of her hair, the prayer shall be in order

What is the ruling in the matter of someone who wakes up only minutes before the ⁕ time of Subh prayer, yet they go back to sleep, with the slightest possibility that they ?may not get up in time for prayer

If the described attitude stems from indifference towards prayer, it is not - permissible for them to do

.so

Suppose someone commutes daily to the place where they work, study, or go about * their business; the place happens to be over ۲۲ km. away from where they live. What ?form of prayer should they perform, and do they have to fast

.The prayer shall be tamam and they should fast too -

Should the journeying be irregular, say three times a week the year round, and the * ?nature of business of the person concerned was not of that which involves travel

Such people should say their prayer in full and the same goes for fasting, because - they fit the description of people who are "constantly on the move", or (katheeris-safar). If, however, such people make the trip twice a week, they [should combine both, praying tamam and qasr. So do their fasting, i.e. they should fast Ramadhan and .[fast again later

What shall become of the obligatory fasting of someone on a day when they * ?travelled after zawal

.They carry on with their fast], i.e. they are not required to make up for that day] -

Should they make the journey before zawal, having intended to do so the night * ?before, can they still fast

No, fasting should be observed on that day]; they should, therefore, break their fast] - upon getting to heddet-tarakhus (the point at the periphery of a town where, for example, adhan could be heard. This concerns distances to determine whether prayer should be said tamam or qasr). They should fast later to make up for that

day. The same ruling applies to such people as making the journey without niyyah the .night before

Someone returning from a trip arrived in their hometown after zawal. Do they have ⁕ ?to observe abstinence (imsak) for the rest of the day

Although not obligatory, it is advisable for them to abstain from food and drink for – the rest of the day. The same applies to him who arrived before zawal and was not .fasting because of travel

If such people returned to their town of domicile before zawal and were observing ⁕ ?fast, how should they go about it

They should make niyyah of fasting and abstain from any acts that render fast that – .day invalid. They are, therefore, not required to fast in lieu

Suppose someone was observing fast for years on end, yet they were not aware of ⁕ ?the obligation of ghusl after a sexual act (janabah); that is, they did not do it

Their fast is in order and they shall not be liable for kaffarah (Atonement, or – .(.expiation: making recompense for some failure to act, harm done to others, etc

?Is it all right, for asthma sufferers, to use inhalers during their fast ⁕

.Yes, they can. And their fast shall be in order –

Is it permissible to serve food and drink to certain people, who could be excused not ⁕ to observe fast or otherwise, be it in restaurants or at home, without encroaching ?upon the sanctity of Ramadhan

It is permissible to serve food for those who –

.[have a valid reason not to fast and [not the others

If I was certain of the precision of astrological computations for the birth of the new ⁕ moon, could this be relied on to determine the first day of Ramadhan and start fasting ?accordingly

Being certain of predicting the birth new moon, using this method or that, is of no - consequence. What is of consequence, though, is the actual sighting of the crescent, whether by you or by the others. Of course, it suffices to rely on sighting in another country that shares the same horizon with your own, barring clouds, dust, mountains, .and the like

?Is using intravenous feeding for the sick all right for a fasting person ⁕

.Although it is advisable to avoid, yet it can be excused -

If I may move to matters pertaining to hajj, and ask about a person who had the ⁕ means to make the journey to Mekkah for hajj. However, he could not finalize his travel arrangements due to not getting entry visa. In the year that ensued since he was intent on performing the hajj, he spent the money allocated for the journey. ?Thereafter, he could not save enough money to achieve his goal. What should he do

If he can afford to make the journey at any future date, he must do so. If not, he is - .absolved of the obligation

In our dialogue on hajj, I remember you told me that you threw stones at Jamarat ⁕ ,al-Aqabah. You did not

?though, tell me at which side of the Jamarat you carried out the stoning

.[I did the stoning from the front [for it is not permissible to do so from the back –

* You also said that you entered into ihram from a place called al-Juhfa after arrival at Jeddah by air. Would it be all right if a pilgrim inadvertently assumed the ihram from ?Jeddah itself

.If they had done it with a vow (nadhr), it would be accepted –

* I remember that at the end of tawaf and sa'iy, you made taqseer (Cutting one's hair, clipping one's moustache or beard, or cutting off the nails – an act that heralds the exit from the state of ihram). Can you carry out taqseer for other pilgrims before you carry ?it out for yourself first

.It is not permissible to do so –

* Suppose a student could afford the journey to perform hajj in a given year. Yet, the time for hajj coincided with the appointed dates of his final exams. If he were to make the decision and embark on the journey, this could prove detrimental to his chances of passing the exams, which may lead to a financial as well as moral setback. What .?should he do

– If making the journey to Mekkah for hajj could result in an untenable situation, he .may abandon plans to go to hajj that year

* Could I move on to another subject, and ask about issues relating to trade and business? Could you then tell

?of the position of a person depositing money in public banks

Before answering your question, could you tell me: a) whether those banks are - financed by Islamic or non-Islamic states, and b) whether the depositor's intention ?was to earn interest for the money he keeps with the bank

?Is there any difference *

Generally speaking, depositing money with the banks of non-Islamic countries, - albeit with the aim of earning interest, is allowed. Depositing money with Islamic state banks with the condition of earning interest is usury which is haraam. If it is done without such a condition, it is permitted; the interest earned on such deposits should .not be dispensed with, unless with the permission of the Marji' or his representative

Is there any difference between the original sum of money deposited and the * ?interest it earned

No, the owner shall have no right of disposal over any money withdrawn from state - .banks in Muslim countries before consulting the Marj' or his representative

Could you tell me what is meant by the "condition" for earning interest, you talked * about early on? Does it mean that the depositor should be intent on not asking the ?bank for interest, if the latter did not pay it

No, it means that the depositor must not make the deposited money conditional on - payment of interest by the bank, for the intent to demand the interest is akin to not stipulating the condition. Similarly, the intention not to demand the interest is akin to .the stipulation

.That is, because each of which is alien to the other

If I was aware that the bank was going to pay me interest, but I did not ask for it, ⁕ ?can I still deposit my money in a saving account

.Yes, you can do that so long as you do not make it conditional on getting the interest –

Some people borrow money from the bank and the latter demands interest to lend ⁕ them the money; on certain occasions, the bank requires the borrower to give a ?guarantee. How should such people go about this kind of transaction

It is not permissible to take a loan from the bank if it stipulates the charging of – interest, for it is usury, irrespective of whether the loan was with or without surety. It is permissible, however, to receive such money not with the intention of it being a loan. Once the approval of the Marji' or his representative was obtained, the recipient can have the right of disposal over the money. Thereafter, their knowledge that the bank is going to compel them to pay the interest shall be of no consequence. Yet, .when the bank does so, they should comply with its request

Here, I would reiterate that disposing of moneys withdrawn from state banks in Muslim countries, in any transaction, can be done only with the approval of the Marji' .or his representative

?Is it permissible to open letters of credit, for import or export, with the banks ⁕

Yes, it is –

permissible. It is permissible for the bank, whether state owned or private, to charge the customer fees for the service it provides and interest on any payment of money it .makes from its capital, not from the customer’s account

?What about the bank standing guarantor for the customer ⁕

.The bank can charge a fee for this type of service –

?Is dealing in shares permissible ⁕

Yes, it is, provided the dealer avoids investing in companies involved in illicit trade, – .such as intoxicants or usury-based dealings

Some companies deputize the banks to deal with the transactions of selling and ⁕ buying shares on their behalf. Can the banks charge commission for their ?intermediary role

.Yes, they can and it is permissible –

?What about sale of bonds ⁕

It is not permissible. It is not permissible for the banks to act as intermediaries in – buying and selling bonds. Accordingly, it is not permissible for them to charge .commission for such transactions

?What about internal and external drafts ⁕

It is permissible for the bank to charge commission for issuing the draft from the – customer’s account or for a transaction of money transfer requested by any other .client

The banks deal with selling and buying foreign currency. Is it permissible for them to ⁕ ?earn a profit

.Yes, they are entitled to that –

?What about bills of exchange ⁕

Among banks' services is the realization of the amount of a bill of exchange for their - .customers. This type of service, and charging commission for it, are permissible

And life ⁕

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?assurance and other insurance policies. Are they in order

Yes, the contracts thereof are binding on both the parties – the insurers and the – .insured

?Is it permissible for men to wear platinum ⁕

Yes, because it is a different type of metal. It is not gold that is haraam for men to – .wear

?Is it permissible to make doles, mimicking humans, animals, or birds ⁕

.[No, it is not permissible] –

Is it permissible to paint ordinary, not three-dimensional, pictures of human beings ⁕ ?or animals

.Yes, it is permissible –

?Is it permissible to trade in ornamental corporeal statues of man and animal ⁕

.Yes, it is permissible –

Is it permissible to wear garments allegedly made of pure linen, noting that I cannot ⁕ ?say whether the fabric is linen. Do I have to investigate

.No, there is no need for you to check their originality; thus, you can wear them –

I know trading in musical instruments, meant for illicit amusement, is haraam. There ⁕ are, however, certain instruments made for children to play with. Is it permissible to ?buy and sell them

.It is permissible if the definition of "illicit amusement" do not cover such instruments –

There are specific contracts, such as those in the building industry, whereby some ⁕ sort of fine is levied on either or both parties. This is sought mainly to get the job done on time. If the contractor is proved responsible for delaying the work, he could be

liable to pay the agreed penalty to the beneficiary. And

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if the first party could prove the failure of the second party to supply, for example, the building material on time, he could be made to pay the agreed penalty. Are these ?agreements in order to enter into

.The settlement of such penalties is in order –

Some publishing houses resort to republishing books without prior consent from ⁕ either the original publishers or the author, although such books bear the note "all ?rights reserved". Is it permissible

Such note has no consequence, unless it comes within the context of a law that – regulates the rights of writers, publishers, and other parties who have a vested .'interest; such a law should be ratified by the Marji

?Is displaying stuffed animal carcasses permissible ⁕

.Yes, it is –

?Is it permissible to sell and buy human blood for medical purposes ⁕

.Yes, it is –

Is it permissible to trade in meat of certain animals, such as rabbit, that are deemed ⁕ haraam to consume according to the precepts of our school of thought, to the ?followers of other schools of thought who permit consuming it

.Yes, it is permissible –

Can I work for an owner of a shop where alcoholic drinks and unslaughtered meat ⁕ are sold alongside other products that are lawful to trade in, especially if my work is confined to dealing with those items that are halal? What is the view about the wages ?I receive that are paid from the mixed income of the shop

If the contract between you and the owner –

restricts your work to the areas that deal with lawful merchandise, there is no harm in carrying out the work. As for your wages, they are halal to receive so long as you are .not aware that such wages contain tainted money

Is it permissible to work as a cook in a restaurant, where I am required to cook ※ ?unslaughtered meat; I am, though, not required to serve it

.It is permissible –

If I can move on and ask about issues pertaining to food and drink: Is it permissible ※ to consume and trade in chicken, whose wrappings bear the note, "slaughtered according to Islamic rites": a) that which is imported from Islamic countries, and b) ?that which is imported from non-Islamic countries

As for chicken imported from Muslim countries it is permissible to consume and – trade in, irrespective of whether there is a note declaring it was slaughtered pursuant .to Islamic rites

As regards that which is imported from non-Muslim countries, you are neither permitted to consume it nor trade in it, unless you are absolutely sure that it really .was slaughtered according to Islamic injunctions, both in letter and spirit

Is it permissible to consume cheeses imported from non-Muslim countries, ※ especially if I do not know anything about either the method in which they were ?processed or the ingredients used

.It is permissible to eat –

?Some kinds of fish are not wholly covered with scales. Are they halal to eat ※

.Yes, they are –

Is it permissible to consume tinned fish ※

imported from non-Muslim countries?, especially if I was in the dark as to such :permissibility on two counts

I do not know whether it has scales, but the information given on the cover .۱ indicates that it is of the kind that has scales and there is no reason why I should not .believe the case to be true

I do not know how it was caught and whether it perished outside the water or inside .۲ it. However, it is common knowledge that modern fishing techniques, especially those employed by big fishing trawlers, result in big catches and the fish is often taken out .of the water while still alive

If you have peace of mind as to the fact that the fish perished outside the water, - .taking into account the aforesaid remarks, it is permissible to eat. Otherwise, it is not

Restaurants in Muslim countries serve meals that contain meat. Is it permissible to ❊ ?eat in them without enquiring from their owners whether the meat is halal

Yes, you can eat such meals without asking about the meat. Neither are you - .required to ask about the faith of the restaurant's employees

?Is it permissible to consume alcohol-free beer, and is it tahir ❊

Maybe you mean the drink commonly made of fermented barely and leads to - .[drunkenness. If so, it is haraam [and najis

Do I have to resort to scrutiny to determine whether medicines contain any ❊ ?ingredients that are haraam

.No, you needn't do that -

Many types of ❊

?medicines and detergents contain small quantities of alcohol. Is it permissible to use

.They are not najis. And it is permissible to use them -

I have a number of questions that can not be grouped under one title. I am going to * :start with a question on donating human organs

?Is it permissible for a living person to donate his eye or kidney to another person

.It is not permissible too in the case of the eye. As for the kidney, it is permissible -

Some people make a will to donate certain organs after their death. Is such a will in * ?order

It is neither in order, nor executing it is permissible], if the person who made the will] - is Muslim. This is true, unless it was a matter of life or death for the recipient of the organ. Thereupon, the organs can be used even though there was no will. However, [compensation becomes due on the person who carried out the removal of the organ], .unless there was a will

The use of the coil, a device of contraception, inside the womb of a woman is quite * common nowadays. Is it permissible, especially when the pregnancy may constitute a ?danger to the woman's health

.It is permissible -

Is experimenting in new medicines on humans without their knowledge an * ?acceptable practice

.No, it is not -

Is dissecting the dead body of a Muslim, for a post-mortem or for training medical * .students, permissible

It is forbidden to dissect the dead body of -

.a Muslim. As for the dead body of an unbeliever, it is permissible

There is overwhelming evidence on the dangers to health posed by smoking. Is it ⁕ ?permissible for a non-smoker to take up the habit and a smoker to continue

If smoking results in an untold damage to the health of the smoker, and that of the - unborn child of a smoking woman, it is haraam. And it is so, for the beginner, as well as the compulsive smoker who might not suffer serious damage as a result of stopping smoking. As for him who may be harmed, in any way, as a result of stopping the habit, .the right balance between kicking the habit and continuing it should be achieved

The presents, received by the parents of a newly born child, come in many forms ⁕ ?'and shapes. Whose ownership is it - the baby's or the parents

Presents differ in their significance. Some are indicative, in that they are exclusively - the newly born child, such as jewellery and, evidently, any money. Other items may be intended for the benefit of other people, such as food and foodstuff; these belong to .the child's parents

?Do the parents have the right of disposal over the property of their minor children ⁕

It is permissible for the father to do so, provided it does not constitute any malicious - act that may befall the minors. As for the mother, she does not have such a prerogative without the permission of the father, or

paternal grandfather. With such a permission, she can then have the right of disposal over her child's property, provided it does not entail any malice. The parents, however, have no right to take any action that could compromise their child's interests. They must spare no effort to ensure the preservation of his property until .he attains adulthood

?Is the practice of magic, be it white or black, permissible ⁕

Magic, in whatever form or guise it comes, is haraam [including that which is used to - invalidate magic plots], unless more important interest was served, such as the .preservation of life

?Is summoning the spirits of the dead permissible ⁕

?It is haraam to summon those spirits that may be harmed as a result of the practice -

Some people claim they can manipulate the angels. Can you lend any credence to ⁕ ?such claims

.Such claims are baseless -

Is hanging of portraits of the Prophet (s.a.w.) and the Imams (a.s.) permissible? Is it ⁕ ?all right to believe that these paintings are true copies of them

It is permissible to hang such portraits. As for the belief that they resemble those - .huminaries, it is a mistaken one

Is it permissible for actors to play the roles of either the Prophet (s.a.w.) or the ⁕ ?Imams (a.s.), either in a play or in a film

It is permissible to play their roles, with the proviso that it does not weigh adversely - on the high esteem with which people hold them. It is important, therefore, that those actors

.who play their parts should be of unblemished character

Is it permissible to discard printed matters, that may contain the Name of God or ❊
?Qur’anic verses alongside ordinary rubbish

It is not permissible. When found, such material should be removed and rendered –
.tahir, if it had come into contact with najis objects

In verbal encounters, some people resort to swearing, so much so that it could ❊
amount to blaspheming Allah, the Most High, or lampooning the Infallibles (a.s.). On the whole, such people are not serious in their statements. Should punishment be
?administered to them

So long as they were not serious and they did not mean what they say, divine –
punishment must not be meted out to them. However, they should be reprimanded
.((ta’zeer

May I move on and ask about miscellaneous issues, starting with a question on the ❊
?woman taking driving lessons with a male instructor

She is allowed to do that so long as she is sure of immunity against any temptation –
.of behaving contrary to the dictates of Islam and decency

Is it permissible for women to be photographed without head cover for the purpose ❊
?of using such a photograph in official documents, such as passport

If they were obliged to do so, i.e. out of necessity, it is permissible. However, it is –
advisable that the person who takes the photograph be a husband or any other of her
.maharim. Only out necessity (dharourah), can they be photographed by others

Is it permissible to slaughter the ❊

?animal from the back of its neck

.Yes, it is permissible –

Is exhuming the body of a dead person, provided that the act shall not constitute ⁕ ?breach of the sanctity of the dead, permissible

No, it is not permissible, apart from certain cases, detailed in the books of – .jurisprudence, which include necessity

Using the known outlets, is developing camera films, featuring women without head ⁕ ?cover, allowed

It is permissible so long as the person carrying out the job is unknown to the women – featured in the pictures, and that the exposures themselves do not contain scenes .that could be provocative

?How could I dispose of money found, if there is no way I can trace its owner ⁕

.Give it in charity on behalf of the owner –

If a child finds a quite substantial amount of coins or banknotes, what would become ⁕ ?of this find

If there were any distinguishing marks that may lead to tracing the owner, then be – .it. If not, the guardian of the child could take possession of the money on his behalf

Could I move on to ask a doctrinal question: Is it permissible to plead with the ⁕ Infallibles (a.s.) for a bettering of sustenance, granting of children, or bestowing ?speedy recovery from illness

And do you intend to beseech them in the belief that they are capable of creation, – ?granting sustenance, or preservation of life

.No, only because I believe that they are a conduit (wasilah) to God Almighty ⁕

,You mean they intercede with Allah –

?the Exalted to do all that which is prayed for

.Precisely ※

,This is permissible, because Allah, the Most High, has said –

O you who believe! be careful of (your duty to) Allah and seek means of approach" .(unto Him and strive hard in His way that you may be successful". (۵/۳۵

(Dialogue on miscellaneous issues (۲

In this session, I aim to enquire about matters concerning the young, in particular. I am going to start it with what I consider as the predicament of some sections of .students

As a component of their curriculum, physiotherapy students train in massage. This ※ may entail applying massaging techniques to the body of a woman patient. If the students decline to carry out what they are required to do because of their course of study, they may fail the exam. Can they still enrol in such a course at the outset, and ?can those who are already doing it carry on with it

It is permissible on the account of the students' knowing that the field of specialist – knowledge they have embarked on shall benefit some respected souls, albeit on a future date. Let, therefore, their practice of massaging techniques be free from any .sexual innuendoes

As a part of their training, medical students are required to examine women not ※ related to them. Such examination could include the private parts of the patients, be they women or men. Can they carry out these examinations during their years of ?study and after their graduation

Yes, it is permissible for –

medical students and physicians to carry out such examinations, provided that .preservation of the respected human life is at stake, even if it be in the future

Among the nurse's job are duties such as taking the patient's pulse and dressing of ⁕ ,wounds. Both may require direct touch

?Can a man patient refuse a female nurse feeling his body .١

?He can ask for a male nurse to do the job, or ask the female nurse to wear gloves –

In certain circumstances, the medical case calls for direct contact with the body and .٢ ?a male nurse is not available. For this, or any other valid reason, is it all right

As suggested by the question, direct touch can be tolerated, provided it is restricted – .to the immediate part or area of the body that needs the attention

An injury, that may need medical attention, could occur in the genitals. How should .٣ ?one go about it

The patient must ask the medical staff, attending his case, be they men or women, – to wear gloves. If this was not feasible, direct touch could be tolerated within the .remit of the immediate area of injury

Suppose touch was substituted for looking. What is the ruling regarding the cases ⁕ ?just discussed

The ruling on illicit gazing is the same as that passed on illicit touch. Thus, the cases – are governed by the same parameters as detailed in the preceding answers to the .examples posed

If the patient was a woman and the medical practitioner was ⁕

?a man, would the same rulings outlined in the previous examples apply

.Yes -

Some non-conformist husbands require their wives to a) abandon prayer and hijab ❊ (Islamic dress), b) serve their guests with alcoholic drink, c) force them to join in gambling sessions, and d) shake hands with men. If the wife is coerced to do all these vile deeds, has she the right to walk out on such husbands for the sake of upholding ?her religious obligations

Yes, it is within their legal right to do so; it should, however, be confined to that - which is necessary. Such wives would still be entitled to full maintenance from their .husbands

Suppose a wife was insistent on wearing hijab. Her husband was equally adamant ❊ that she should not wear it, thus leaving her with no alternative but to ask for divorce. ?What can she do

.She must not part with hijab, albeit this may lead to her husband divorcing her -

Yet, choosing this course of action may pose untold difficulty and embarrassment to ❊ ?some women. Should they still embark on it

Yes, they must patiently persevere in such a predicament, and call to remembrance - ,Allah's Words

and whoever is mindful of (his duty to) Allah, He (ever) prepares a way out, and..“ gives him sustenance whence he thinks not; and whoever trusts in Allah, He is sufficient for him; surely, Allah attains His purpose; Allah indeed has appointed a .(measure for everything”. (۶۵/۲,۳

Could I move on and ask about matters relating ❊

to human reproduction: The use of contraceptives is commonplace these days. If this was not feasible due to fear of harm or out of necessity, can the woman seek medical advice that may entail local examination by a man doctor or a woman doctor, especially when pregnancy could endanger her health or cause her unnecessary ?trouble

For the reasons explained in the question, she can do whatever it takes to avoid an - untenable situation or harm that may be triggered by pregnancy and conventional contraceptives. Yet, she should opt for a woman doctor to examine her body, which could include her reproduction system. Only as a last resort, could she seek the .attention of a man doctor

Is it permissible for a woman to look at that part of another woman's body, between * ?the navel and the knee, excluding the anterior and the posterior

.Yes, she is permitted to do so, provided that it is done without sexual arousal -

Some women refrain from getting pregnant, yet their husbands want them to get * pregnant. So, they take to the pill or other means and devices of contraception. Are ?they allowed to do so

Yes, it is permissible for them to do so, provided that they do not put their wellbeing - .in harm's way

?What about the use of coil *

Should the woman know that this could lead to the destruction of the inseminated - .[egg, [she is not allowed to fit it

Some women prevent their husbands from ejaculating inside. Are they *

?entitled to such an action

.No, they are not –

?Has the husband the right to force his wife not to beget children ❊

.No, he does not have such a right –

?In a sexual intercourse with his wife, has the husband the right to ejaculate outside ❊

.Yes, he has –

?On the same count, can he use condom ❊

.[Yes, [provided he obtains his wife's consent to that –

Some women use medications to delay the onset of their monthly period. Is it ❊ ?permissible

.Yes, it is –

In its early days, it is easy to terminate the pregnancy. Has the woman the right to ❊ ?do so

.No, she has not, unless the pregnancy poses a threat to her health –

?Kissing and hugging between women in public, is it permissible ❊

.Yes, it is, provided that it is done without contemplating a sinful act –

?Nowadays, women wear make-up and jewellery in public. Is it permissible ❊

It is permissible insofar as the wearing of antimony and rings, provided women – guard agaisnt falling prey to that which is haraam and avoid that which could seduce .men

In modern day life, be it at work or in the street, some women appear in public ❊ without hijab. Is it permissible to look at those women, not intentionally and without

?malice

- .Yes, it is permissible

* ?Can a woman appear in public with the top of her feet exposed

- .No, she is not permitted to do that

* ?What about while she is in prayer

- It is permitted; the entire woman's foot, top

.and sole, can be exposed in prayer

?Are women allowed to travel alone in a chauffeur-driven vehicle ❊

So long as she was sure that she was not going to commit anything that is haraam, - .she could travel in such a vehicle

You mentioned to me that masturbation is haraam. Does this include both man and ❊ ?woman

.Yes, the ruling applies to both sexes -

Can a patient give a specimen of his sperm, not extracted through conventional ❊ ?means, for a laboratory test for fertility treatment

.Only when it is necessary -

Using modern techniques, medical practitioners can tell whether the foetus is ❊ healthy or deformed. If the check-up proved that it was deformed, can the pregnancy ?be terminated

Deformed foetus per se cannot be upheld as a valid reason for terminating the - pregnancy. Of course, if the pregnancy posed a danger to the health of the mother, the pregnancy can be terminated. This, however, can be allowed only at any stage .prior to the spirit entering the foetus

If I could move on and ask about artificial insemination: Suppose the sperm of a man ❊ was used to impregnate his wife's egg through some artificial means. Is it ?permissible

.Yes, it is permissible -

Can the sperm of a man be used to impregnate the egg of a woman, other than his ❊ ?wife

.No, it is not permissible -

Is it permissible to fertilize the egg of a wife by the sperm of her husband in a test ⁕ tube, and the fertilized egg is then

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?implanted in the wife’s womb

.Yes, it is permissible –

Using the same technique, is it permissible to use the egg of another woman for ⁕ ?fertilization, and then implantation in the womb of the man’s wife

.Yes, this too is permissible –

In such a case, to whom will the born child belong – to the natural mother or to the ⁕ ?surrogate one

There are two courses of action. (Whichever one is taken) ihtiyat must be the – .deciding criterion

Is it permissible to inseminate the egg of a woman with the sperm of a man other ⁕ ?than her husband

.This must be avoided –

If I may take you back to matters relating to schooling: Should the permission of the ⁕ ?parents of the pupils be obtained before the punishment by caning is carried out

It is permissible, only if such pupils were bent on harming other pupils or committing – wrongful acts. The permission of the guardian must be obtained. The punishment is three lashes [not more], provided the delivery of these lashes is gentle such that the beating should not leave any mark on the body. Should it lead even to colouring of the .skin, compensation (diyyah) shall be due

Is cheating during school exams all right, especially when some teachers condone ⁕ ?it

.It is not permissible –

As a requirement of their curriculum, sculpture students are required to train into ⁕ making statues, and similar objects; such statues could take the shape of creatures

that have spirits. Is it permissible for them to do

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?so, taking into account that if they decline, they shall be deemed failed

Making passing the exams contingent upon sculpture is not a valid justification by – itself to carry out this [unlawful] work.

Is it permissible to engage in ball games, such as football, basketball with no bet * placed?

– It is permissible.

* What about boxing and wrestling?

– They are permitted, only if they do not lead to serious injury.

If I may move on to ask about parent/offspring relationship: What are the * boundaries of parental instructions that children should comply with?

– Islam makes it incumbent on the child to be gentle with his parents.

Fair enough. Would it be sound, from an Islamic law standpoint, that one should * obey his parents in every detail of daily life, such as the parent ordering his son or daughter to eat a particular type of fruit, or go to bed at a particular hour, etc.?

– Yes, it is a good thing to do.

Should the parents prevent their child from embarking on a certain action that, they * believe, could result in putting him in harm's way? And is it incumbent on the child to comply, even though he thinks otherwise?

It is not permissible for the child to go against the express wish of his parents, for – what makes them take such a stand is their concern for the wellbeing of their child.

Suppose the child wanted to travel, and the parents were sure that no harm would * befall their child, yet the

parents could not contemplate the idea of their child being away from them; it could upset them. So, they objected to their child's making such a journey. Can the child still ?make the trip

Let me put it this way: If the child was not going to suffer adversely from travelling, – and his insistence on making the trip could result in upsetting his parents, he must not .go away

If I may move on to ask about another subject: Is playing chess and black gammon, ❊ ?without betting, permissible

.It is not permissible to play both –

There are other ways and means of playing games of chance, especially through ❊ ?machines and gadgets. If no betting was involved, can one use these tools

It is forbidden to dabble in anything that has originally been intended for gambling,] – .[albeit without placing a bet

?What about playing computer games without a bet ❊

If the images appearing on the monitor of the computer feature gambling gadgets, – .it is not permissible

?On another topic, can the woman perform any dancing act for her husband for fun ❊

.Yes, she can –

?And what about her dancing before other men ❊

She is not allowed to dance before men other than her husband, [rather, in front of – .[other women too

?And man's dancing in public ❊

.[It is not permissible] –

?On happy occasions, men and women take to clapping. Is it permissible *

.It is permissible, so long as it did not lead to a sinful act -

,Now, on a different subject *

?is it permissible to listen to religious songs

Do you mean the performance of religious chanting accompanied by conventional –
?music

.Yes ⁕

It is forbidden to listen to these songs and any other non-entertaining words, be –
they supplications, words of praise, [or others], if they were performed to a musical
.tune

?What about entertaining words vocalized with music ⁕

.That is conventional singing which is not permissible beyond any doubt –

?What about conventional music ⁕

It is of two kinds. That which is conducive to the gatherings of play and delictation is –
.haraam. That which does not bear these characteristics is not haraam

Some types of tunes are played as a prelude, or a finale, to the broadcast of ⁕
?Qur'anic recitations, the call to prayer, or religious programmes. Is it permissible

.In the main, these are of the second type that is halal –

?What about musical interludes and musical preludes to news bulletins ⁕

.They are covered by the same ruling, that is, they are halal –

Certain makes of watches have a device fitted in them whereby you can listen to ⁕
musical phrases. Can one trade in such watches as well as listen to the type of music
?they play

.Yes, it is permissible –

Is it all right to listen to classical music, that is said to soothe the feeling and that ⁕
?which could be prescribed for certain psychological disorders

.Yes, music that does not involve play and delictation is permissible to listen to -

,And is the music used in television films and serials *

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?that is normally intended to move the viewer, permissible

.In the main, it is of the kind that is permissible –

⁕ Some poems, with sentimental or patriotic overtures, are broadcast to the ?accompaniment of music. Is it permissible

.They are governed by the same preceding ruling –

⁕ ?May I ask two more questions before ending this session

.You may –

⁕ ?Can a woman appear in public, wearing perfume

– She should avoid that. Rather, it is not permissible, if it was going to lead to seducing .men or sexually arousing them

⁕ Some women mourn their dead by wearing black clothes; they may resort to wailing ?as an expression of deep sense of loss. Is this outpouring of grief permissible

.Yes, it is –

.Thus, we concluded our dialogues. However, we may resume them, if need be

.Praise be to Allah, the Cherisher of the worlds

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ۹

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ۲۰۰۷, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

Holding book reading competitions-

Producing virtual, three dimensional exhibitions, panoramas of religious and tourism- places

.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

Fabricatingdramatic and speech works-

Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems,- web kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

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